14 1958

EDUCATION BILLS ARE STILL MIRED

New York Times

Despite Warnings of Soviet Challenge Legislation Is Blocked by Disputes

New York

By BESS FURMAN

Special to The New York Times.

WASHINGTON, June 15—The dispute over education bills continued today in Congress in the wake of warnings of stiff Soviet competition by an exchange team of United States educators.

Mon. 6-16-58 P. 42m

The ten-member team, headed by Education Commissioner Lawrence G. Derthick, viewed Russian schools at first hand in 700 miles of travel. Its major reaction was "astonishment" at the Russians' "total commitment to education" and their determination to surpass the United States.

Despite the Derthick report, made last week, education legislation stood still in the Senate and only inched forward in the House of Representatives.

Compromise Agreement

House developments last week included the following:

¶A compromise agreement between Representatives Peter Frelinghuysen Jr., Republican, and Frank Thompson Jr., Democrat, both of New Jersey, on the $1,500,000,000 school construction bill. Their clash on this subject had resulted in the bill's being held up by a tie vote in the Education and Labor Committee.

¶The committee began to consider the $980,000,000 science aid bill sponsored by Representative Carl Elliott, Democrat of Alabama. It is specially designed to meet the Russian challenge.

¶A demand by Representative Lee Metcalf, Democrat of Montana, that the General Education subcommittee report his bill, which calls for $1,000,000,000 in general school aid the first year on up to $4,000,000,000 the fourth.

¶Increasing rumors of the subcommittee's possible endorsement of a bill that would hold back for the States 1½ per cent of income taxes for school aid. This would increase later. The funds would be apportioned by the Federal Commissioner of Education on a basis of school population.

In spite of these big-outlay proposals, chances for a Federal appropriation to bring the ailing school system out of its doldrums seemed slight.

Obstacles in Path

All the proposal apparently had obstacles. The situation on each were as follows:

School construction—the two New Jersey members agreed to make this strictly an anti-recession measure. All the money would be used for grants to states for schools ready now to be built, thus stimulating employment. Each state would set up a priority system.

Dropped from the bill, as originally introduced by Mr. Thompson, were a bond purchase program and long-range credit to state school financing agencies. The aim was to streamline it for speedy passage.

However, Representative Graham A. Barden, committee chairman, has given the science aid bill the right of way, which may mean weeks of committee work. He also has indicated that the committee may first consider a bill on union welfare funds. Thus, time for a floor vote on school construction this session seemed to be running out.

Science aid—For thirty-eight days 185 witnesses, most of them telling about Russian prowess in science and its threat to the United States, testified on this bill before two Education subcommittees, meeting jointly.

The subcommittees then met in closed sessions for nine days, and came out with the bill now under consideration. It involves a compromise between Administration and Democratic proposals for a scholarship program; a student loan and counseling program and $60,000,000 annually for science, mathematics and language-teaching equipment.

However, Mr. Frelinghuysen has served notice that he will seek several amendments to the bill. The changes he specified are known to be in keeping with President Eisenhower's own thinking on the bill.

For example, the amendments would reduce the number of scholarships from 25,000 to the 10,000 originally asked by the President. Mr. Frelinghuysen held that with a student loan program in the bill, not so many scholarships could be needed.

One amendment would incorporate a financial means test. He said it was only fair to taxpayers that funds be used for talented pupils whose parents could not afford to pay for their education.

Another amendment would direct scholarships primarily to students excelling in science and mathematics. Mr. Frelinghuysen said he did not see how the legislation could be called a defense measure unless it were keyed to defense subjects.

More Schools to Take Part In TV Teaching

By RAY LOWERY.

News & Observer p. 4 I

14

Sun. 6-29-58

Raleigh N.C.

More public schools will participate next year in North Carolina's cooperative experiment in television teaching, an indication of the growing acceptance of this exciting new teaching tool.

The Ford Foundation's Fund for the Advancement of Education is sponsoring the educational TV project, and although four years remain before the five-year study is completed, TV in the classroom already seems to have proved itself.

Something more definite will be known when the results of an objective evaluation of the experiment are revealed in the near future. Standard subject matter tests were given to all TV students in late September and early May. The evaluation will determine whether the television pupils have learned more facts than those deprived of such instruction.

Approximately 7,000 junior and senior high school students representing 19 school systems and 43 schools, white and Negro, were enrolled in the four courses offered—American and world history, general science and eighth-grade arithmetic.

Class enrollments ranged from 90 to 216. More than 100 additional "unofficial" schools (those not directly identified with the project) participated, adding at least 3,000 students to the 7,000 in the official group.

Programs Originated.

Teaching programs originated in the studios of WUNC-TV (channel 4 station-owned and operated by the Consolidated University of North Carolina), with units at the University in Chapel Hill, the Woman's College in Greensboro and N. C. State College in Raleigh (the latter's studios were not utilized by the project during the past school year).

Two of the courses—those in general science and American history—were picked up and re-telecast over WSOC-TV, a commercial station in Charlotte. Another Charlotte station, WBTV, will beam a third course to western North Carolina schools this fall. Stations in Wilmington, Washington and Greenville may take on one or more of the four 30-minute programs.

Charles W. Phillips of Greensboro, director of the North Carolina in-school demonstration, notes several important by-products of the state's first experience with educational TV in the classroom:

1. More ground was covered.
2. There was a greater enrichment of materials.
3. Students learned how to take notes.
4. Students learned to appreciate the value of time and the fact that the material was presented only once.
5. Students acquired the ability to choose between the more important and the less important.
6. Discipline problems were almost non-existent.

Durham and Elkin already have indicated their intention of joining the experiment next term, according to Phillips, and eight other public school systems are "thinking seriously about it." Charlotte is extending its school television coverage.

To Find Out Later.

"We won't really find out how good the instruction was until the kids get to college," Phillips says. "But we know now it has been at least as good, and possibly somewhat better, than ordinary classroom instruction."

Another significant by-product of the educational TV training, gratifying to project officials, if not altogether unexpected, has been the appeal of the courses to non-students.

"We received a tremendous amount of mail from little children," Phillips says. "There were many adults who followed the programs regularly, and some shut-ins unable to attend school kept up with the telecasts."

Except for one teacher—Miss Myrtle Brock, world history teacher, declined reappointment for personal reasons—the same faculty will be utilized next term.

Miss Brock will be replaced by Marcus Floyd, native of Lumberton and formerly a teacher at Central High School in Charlotte. Floyd, now traveling in Europe, will be the first male teacher to be engaged in the classroom TV experiment.

"We don't care whether the teachers are male or female," Phillips says. "We just insist on the best. Floyd has traveled extensively in 34 countries and he has an excellent record of teaching experience."

In the final analysis, it will be the children who will determine whether or not classroom television will be a success. Many children with whom the project was discussed were unanimously for it.

It may not be too long off before every little red (brick) school house in North Carolina is topped by a television antenna to provide a vital part of the day's curricula.

U.S. Education Lagging, Says Rockefeller Report

It Declares Educators and Public Are Not Meeting Needs of Times

14

By Terry Ferrer
Education Editor

Herald Tribune

American educators and the American public are not meeting "the stern demands and unparalleled opportunities of the times," the fourth report of the Special Studies Project of the Rockefeller Brothers Fund Inc. declared yesterday. "We must recognize," the report said, "that in many areas our educational facilities are poor and our educational effort slovenly."

The seventy-page report, which is entitled "The Pursuit of Excellence: Education and the Future of America," made an urgent plea for the encouragement of diverse talents among all Americans and for the preservation and enhancement of the dignity of the individual. "Paradoxical though it may seem," the report declared, "society as a whole must come to the aid of the individual."

Terry Ferrer

Mon 6-23-58

"The Pursuit of Excellence" was prepared by a fifteen-member panel under the chairmanship of John W. Gardner, president of both the Carnegie Corp. of New York and the Carnegie Foundation for the Advancement of Teaching. Previous special Rockefeller projects have dealt with international military security, economic and social problems and foreign economic policy.

P 7

New York N.Y.

The report called attention to "the imperative need to meet the Soviet military threat." A portion said:

"For the first time in history our survival is imperiled by the threat of technological inferiority, and the danger is all the more upsetting because we had taken our supremacy in the scientific field for granted. Our response has been to turn to organized intellectual effort as never before in our history. . . .

"We must prepare ourselves for a constant and growing demand for talents of all varieties, and must attempt to meet the specific needs of the future by elevating the quality and quantity of talented individuals of all kinds."

In a specific discussion of education, the report declared that "our schools are overcrowded, understaffed and ill-equipped." Pointing out that there is a serious shortage of teachers, the study urged immediate substantial salary raises and the revamping of teacher training — some of which was called "technical and trivial."

14

Herald Tribune

Mon 6-23-58

The curriculum, the panelists felt, must be modernized and improved, with students of academic ability taking more "tough" courses.

Of science education, the report said:

"The crisis in our science education is not an invention of the newspapers or scientists, or the Pentagon. It is a real crisis.

"The U. S. S. R. is not the 'cause' of the crisis. The cause of the crisis is our breathtaking movement into a new technological era. The U. S. S. R. has served as a rude stimulus to awaken us to that reality."

New York N.Y.

The study called for "an ample supply of high calibre scientists, mathematicians and engineers" and for quality in considerable quantity.

Problem of Finance

All school problems lead back to the problem of financing, the report declared, "a problem with which we cannot afford to cope half-heartedly." Stating that the need for good education is immediate, the study said:

"Good education is expensive. That is a fact which the American people have never been quite prepared to face. At stake is nothing less than our national greatness and our aspirations for the dignity of the individual. If the public is not prepared for this, then responsible educators, business leaders, political leaders, unions and civic organizations must join in a national campaign to prepare them."

The report declared that the only alternative to Federal monetary aid to education is "a thorough, painful, politically courageous overhaul of state and local tax systems." But, the study maintained, "there is no chance that we can turn back the clock and eliminate Federal support of education."

The panelists felt that a Federal scholarship program was the "most popular form" of Federal aid, but that such a program was "not a solution" unless the college received a supplement-grant to help support the cost of the student.

Need for Expansion

"In the years immediately ahead," the report continued, "great expansion of the physical plant will be required at every level of the educational system." Federal grants or loans for school construction, it was stated, would be "one of the most helpful and least hazardous forms of support to education."

The report called attention to the fact that the patterns of changing population will present "vital problems" by 1975. A "flood of young people" will place tremendous pressure on educational institutions in the next twenty years and on the labor market thereafter, the report declared. There will also be a rapidly expanding older group, and better use should be made of their talents, as well as those of women and such underprivileged minorities as Negroes.

Education . . .

Colleges Can't Get Physics Teachers

Herald Tribune

P 13

New York N.Y.

Report Says Shortage Is 'Such As to Jeopardize' the Country

By TERRY FERRER
Education Editor

14

A shortage of college physics teachers "such as to jeopardize the welfare of the country" was reported yesterday by the American Institute of Physics.

According to an institute survey of **490 of the 536** American colleges and universities offering a four-year undergraduate major in physics, a total of 688 physicists with Ph. D. degrees is needed now to meet teacher shortages. However, only 444 Ph. D. physicists were graduated last year, and more than half of these took research jobs in industry or government rather than in teaching.

Terry Ferrer

The report, made avaliable at institute headquarters, 335 E. 45th St., was called "gloomy" and "disturbing" by its authors, Dr. William C. Kelly, director of education at the institute. Although the colleges and universities had the money to hire 403 new teaching physicists with Ph. D.'s this year, the survey said, only 254 could be found.

6-18-58

Wed 6-18-58

Colleges Reported Overloading Teachers

In interpreting the report, Dr. Kelly said yesterday:

"The seriousness of this problem is increasing. Their inablility to find enough teachers has led many physics departments to take emergency measures. Of these, most prevalent are the assignment of everloads (of teaching) to staff members—reported by 45 per cent of the responding departments—and a marked reduction in the time available to the staff for research and other scholarly activities—reported by 42 per cent of the responding departments."

Dr. Kelly pointed out that half of the shortage of physics teachers is in institutions that have physics staffs of less than six. "Yet half of the bachelor's degrees in physics in 1956-'57 were granted by these colleges," he said. The report showed that the total number of physics majors was 2,692. Only thirty-nine institutions said in the survey that they had sufficient teachers for them, while 451 were short of teaching help.

Dr. Elmer Hutchisson, director of the American Institute of Physics, declared that "we can't get more students unless we have more teachers." He said that 17 per cent of all college students now take physics, or about 100,000 men and women, and that this number should and would rise in the next ten years. He added:

"We will need 7,500 additional Ph. D. physicist teachers in ten years. That would be 750 a year, but we are getting less than 500 a year now. We probably will have to find other ways of teaching. It's a tragic situation, and it's going to get worse."

Dr. Kelly's survey also showed that 21 per cent of the reporting colleges and universities have had to cancel physics classes because of lack of staff, another 36 per cent said that class size has increased to an "undesirable degree, "while 30 per cent more felt that graduate and undergraduate assistants were being used to help out teachers to too great an extent.

Dr. Kelly emphasized that reduction in time allowed for research to physics professors was especially disturbing because it reduced quality in the colleges and did not make teaching attractive to young Ph. D.s.

LACK OF TEACHERS IN STATE IS ACUTE

Times

Despite Record Graduation There Will Be Only 7,787 to Fill 13,340 Positions

P 25 C

By WARREN WEAVER Jr.
Special to The New York Times.

ALBANY, July 7—The state's colleges and universities graduated a record number of qualified teachers last month, but not enough to fill all the public school teaching jobs that will be vacant in the state next fall.

N.Y.

There are 11,010 new graduates eligible for elementary or secondary school teaching certificates, according to a state Education Department survey, but the New York public schools will need 13,340 teachers, upstate and in New York City.

The prospect is even more bleak because not all those eligible to embark on a teaching career will. The department estimates that about 20 per cent of this year's graduating class will not go into teaching and another 10 per cent will take teaching jobs outside the state.

14

Thus, there will probably be only 7,787 new teachers available to fill the 13,340 berths.

Tues 7-8-58

Dr. James E. Allen Jr., the state Education Commissioner, reported that the situation was the most serious in the elementary schools. The need there is for 7,060 new teachers, but there are only 4,650 graduates of whom only 3,335 are expected to teach in New York.

The secondary school picture is somewhat better, with 6,280 teachers needed and 6,360 graduates, although only 4,452 of them are expected to be available here. The most serious shortages in secondary schools will be in science, mathematics and library science; the only surpluses will be in foreign languages and speech.

Dr. Allen reported that the need for additional public school teachers—there are now about 120,000—was based on these factors:

¶An expected increase of 100,000 in public school enrollment next September to a total of 2,635,000.

¶A drop-out for various reasons of about 8 per cent of this year's teachers, who will not return in the fall.

¶An effort to relieve classroom overcrowding and eliminate double sessions.

¶Offering of new programs in some districts, including more science education and special classes for gifted children.

¶A campaign to replace all persons now teaching who are not fully qualified but have been retained due to shortages.

Of the new teacher-graduates, more than a third were supplied by the four-year teachers colleges of the state university. These schools produced last month 3,264 potential teachers with bachelors' degrees and 907 with masters' degrees.

14 1958

U. S. GROUP BACKS EDUCATIONAL TV

Official Pamphlet Endorses Direct Teaching by Video—400 College Courses Cited

By **BESS FURMAN**

Special to The New York Times.

WASHINGTON, April 8 — The Federal Office of Education sweepingly endorsed educational television today as a giant force waiting to be fully harnessed.

This view permeated a new 124-page pamphlet titled "Television and Education."

It is in direct opposition to the view of many educators who hold that educational television is a mechanical device that never can equal educationally the tarditional pattern of a teacher facing each classroom.

Times P.2E

One entire section of the book explored the controversial question of the practicability of direct teaching by television in distinction to its use as a "supplemental" or "enrichment" device.

Wed. 4-9-58

400 Courses Taught

The pamphlet pointed out that almost 400 separte college courses were being successfully taught by television. It further stated that direct teaching television, once considered unsuited for use below the college level, now has come to be accepted as educationally and philosophically sound at the elementary school level.

New York, N.Y.

In a foreword, Lawrence G. Derthick, commissioner of education, advocated taking advantage of the education service of television, which, he said, has made great strides in the last five years because of the setting aside of education channels by the Federal Communications Commission.

The commissioner also praised the closed-circuit systems serving many school buildings or a university campus that have developed in the last two years.

"It is too early to predict what may be the effect of television on education in general, but its ability to bridge the gap existing in our country, in educational services to the people, is already established," he said.

The text presented the scope of present educational television, analyzed the various methods in use, and advised communities how to plan systems.

Experiences of many universities were cited as proof of "the outstanding fact that effective teaching can be accomplished by television and that television can be as effective as the classroom (by the lecture demonstration method at least).

N. Y. U. Cited as Trailblazer

New York University was mentioned as a television trailblazer that "has continued to experiment until today it grants credit for regular courses." Western Reserve University of Cleveland was credited with coining the word "telecourses." Many mentions were made of the "Shakespeare on TV" programs of Dr. Frank C. Baxter, University of Southern California, now being released regularly for showing throughout the nation over educational channels.

The Chicago Board of Education was cited as having made it possible to carry on a formal education through television for two years beyond high school, enabling students to enter as juniors any accredited college or university in the country.

"Invariably, examinations similar in every respect to those given for classroom instruction are required and credit is granted on the basis of term paper and examination," the booklet said of these Chicago "junior college" courses.

"Graduate work has not yet been attempted, but it appears to be an important field of exploration," was another statement made. It was pointed out that many "refresher courses" had been successfully given over to television for doctors, lawyers and business men

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Is Revolution Coming in Education?--2

U.S. Schools Get Low Grade From Most Principals

One of a Series

By **GEORGE GALLUP**

Director, American Institute of Public Opinion

The Gallup Poll

PRINCETON, N.J.—A high school education today, in the opinion of high school principals, leaves a lot to be desired.

14

There's no disputing that the surprise launching of the Russian satellite proved a "shot-in-the-arm" to many high schools. More than half have changed, or are changing, their curricula since last fall's dramatic disclosure that the Soviets were ahead of us in the missiles race.

Herald P.1A

At the same time, a nationwide poll of over 1,100 high school principals shows that they have this to say about present education methods:

Mon. 4-7-58

1 — High schools today demand far too little work of students — only one principal in 100 feels the schools demand too much work, only one in 11 is satisfied with present demands.

Miami, Fla

2 — There are too many easy courses, principals say, and too much "automatic promotion" in an effort to "graduate everybody." As one principal put it:

"The idea seems to prevail that every young citizen of the U.S. has a birthright to graduate from high school with no regard for accomplishment."

3 — There is too little emphasis on reading in the schools and far too much emphasis on extra-curricular activities such as athletics.

In short, the nation's high school principals — as determined by this poll of one in every 18 across the country — are not happy about the job schools do today.

Principals were asked:

"Do you think schools today demand too much work or too little work from the students?"

The replies:

Demand too little	**79%**
About right now	**9**
Demand too much	**1**
Qualified	**11**

> **HIGH SCHOOL** ***principals say:***
> **SCHOOLS TODAY** ***demand far too little work of students.***
> **THERE ARE** ***too many easy courses, too much graduating of everyone regardless of accomplishment.***
> **THERE IS** ***too much emphasis on sports, too little on reading.***

Far more disconcerting to the principals is the state of education itself — with schools being too easy on students, offering too many "frill courses," and trying to graduate everybody.

Curricular trouble, in the opinion of the principals, is the No. 1 thing wrong with the schools today.

To get at two specific criticisms of the schools today, these questions were asked of principals:

"Do you think there is too much attention given to athletics today in our high schools?"

Yes	**61%**
No	**39**

"Many people say that our students are not required to read enough books. Do you agree or disagree?"

Agree	**63%**
Disagree	**25**
Qualified	**9**
No Opinion	**3**

In the matter of athletics, it should be pointed out that the principals are not against sports in schools. It is mainly a question of athletics, especially competitive ones, being over-emphasized at the expense of other courses.

A Michigan principal reports:

"The trouble is that instruction is directed to the mythical 'average.' The result is that education is out of gear for the talented as well as the slow learner."

To a Texas principal with 224 students the trouble lies in the fact that "Pass Them All" has been the motto."

'SCHOOL RELIGION' DRAWS PROTEST

Times P.12C

Groups in Reform Judaism Assail 'Imposing' Creeds on Public Classes

Several groups in Reform Judaism declared yesterday that "an emerging public-school religion" had posed a serious threat to the principle of separation of church and state.

New York N.Y.

This view was set forth in a pamphlet on "Religion and Public Education" released by the Commission on Social Action of the Union of American Hebrew Congregations, the Central Conference of American Rabbis, the National Federation of Temple Sisterhoods, the National Federation of Temple Brotherhoods and the National Federation of Temple Youth.

Sat. 4-26-58

The pamphlet maintained that public anxiety about communism, juvenile delinquency, earth satellites and hydrogen bombs had led to powerful pressures to bring "religious values" into the public schools.

The introduction of religion into the public education "demeans religion by reducing its beauty," the pamphlet declared.

"What is needed," it was said, "is for religious institutions of all denominations to practice what they preach, to translate their principles into action in the community, the nation, and the world.

"Such a vital relevant religion wins adherence by the quality of its message and its work. No religion is entitled to impose itself upon children as a captive audience in the public school. No vital religion needs to.

"When a religious group uses the public school, with its captive audience, as a crutch, it confesses, by its cry for support, that its truth is in doubt."

The religious groups said they were seeking "an adjudication of spiritual bankruptcy."

The pamphlet challenged such programs as Bible-reading and prayer in the public schools, saying that the proper place for religious education was the home, the church and the synagogues, "and not the public school."

The pamphlet, written by Marvin Braiterman of Baltimore, a member of the Social Action Commission, is the first in a series on "Issues of Conscience," It is available at the Hebrew Union's headquarters 838 Fifth Avenue.

Search for Knowledge

Journal Gazette

Norfolk Va

Sat. 4-?-58

P.19

ITHACA, N. Y. [illegible] (UPI) — When Cornell University raised its tuition fee from $10 to $[illegible] a semester about 75 years ago, enrollments went down by nearly one half. Tuition at Cornell will be $1,250 this fall, but there is no sign of any drop-off in the number of students seeking admission.

1/9
Times
P. E9
New York
NY
Jun
7-13-58

EDUCATION IN REVIEW

Financial Pinch and Teachers Themselves Blamed for Ills of School System

By LOREN B. POPE

For the last three years a succession of study commissions has said the pinch of finance is one of the public school system's worst problems, and many educators are saying the teaching profession is partly responsible.

A group of school superintendents now at Columbia University Teachers College for an annual work conference echoes some of the opinions in this vein that were expressed at the recent National Education Association convention in Cleveland.

Thirty-three superintendents from all parts of the country are attending the Teachers College conference. These are the men who must lead the every-day struggle for better schools. They all think there are large problems involved. Their estimates of school needs are more matter-of-factly stated than those of the commission reports which say immediate and marked improvement is a matter of national survival. But they list many of the same needs the reports do.

Community Problems

Two of the most common ones are problems of financing and better community relations. In fact, shortcomings in those two related areas were called by many of the thirty-three superintendents attending the conference the main deterrent to solving other problems, for example, the continuous modernizing of the curriculum to keep up with the times.

The superintendents tended to agree that if educators, as individuals, could do more to sell the community on the value of school programs and the need for support, it would be easier to get more adequate school budgets. And they would like to find some answers to that selling job.

During their stay at Columbia they are discussing ideas for interpreting the educational program to the public, for getting parents to want and work for better facilities, for using lay talent in curriculum development, and for getting better community support.

Their money troubles, the superintendents say, lie in finding solutions to these specific problems:

(1) Competition with other governmental units for the local property-tax dollar.

(2) Getting the support of municipal councils holding the tax-raising powers.

(3) Equalization of property tax revenues throughout the state.

(4) How much of school costs shall be borne by local, state and Federal governments.

(5) How to keep up community interest in education when it comes to paying more for it.

Favor Federal Aid

The superintendents agree with the recent Rockefeller Brothers Fund report that Federal aid appears to be the only answer, short of a very unlikely overhaul of the local and state taxing structures.

They also believe, with the Rockefeller report, that there must be a national campaign of discussion of the issues involved if ignorance and apathy are to be replaced by enlightenment and interest. But they do not see any such campaign at hand.

Teachers say some blame for the inactivity rests with the Administration for lack of leadership, with a segment of business for wanting to keep school taxes down and to keep them on the small property owner. They also cite the parochial school and integration issues and failure of the public to act on the pro-school-aid opinions they express in the polls. They also say if there were more men in teaching it would be easier to persuade taxpayers to pay salaries at a "professional" level.

But one superintendent declared, "I have never talked to a school superintendent in a hotel room who wasn't in favor of Federal aid, but I never saw one get out and work for it publicly."

Others said teachers tend to be immersed in reading, writing and arithmetic and to take no interest in school budgets, and also fail to see any relation between quality of education and tax revenues. Also, there is often community pressure against teachers' working for school budgets.

A few days before, the National Education Association Convention had indicated the teachers' attitudes. An organization claiming 616,000 members as education's biggest professional force, it had voted to bend its efforts to work for Federal support of education. This is something the N. E. A. has been unable to win from Congress, even in a time of advertised crisis.

The vote came after a fiery pep talk arranged as a climactic moment of the convention. But it came with delegates streaming out of the hall in droves. The vote was unanimous, but there were great empty patches of seats in the Cleveland Public Auditorium.

Reasons for Inactivity

John K. Norton, just retired as director of Teachers College Department of Administration and Guidance and long a student of school financing, summed up some of the reasons for the inactivity of both teacher and parent.

One is the decentralized nature of our school system. Because schools are considered local matters there is a tendency not to look beyond local needs, and the competent superintendents who could provide leadership are in the communities where the missionary work is not particulary needed. The poor areas that need leadership do not attract it. In short, there is a feeling that communities "get the kind of school system they deserve."

As a group, teachers are not effective, Dr. Norton said, because their professional leadership does not reflect a well-thought-out, mature and consistent national policy. Rather, it is a changeable one of opportunism that reacts to events of the moment.

In recent years, for example, the N. E. A. has backed a variety of different kinds of legislative proposals to get Federal money for schools.

For three years the N. E. A. pushed for Federal aid for school construction. Last year it endorsed a plan for general Federal "support" for education. This year it is also in favor of the education bill proposed by the Eisenhower Administration for stimulating state and local action.

The questions and controversies raised by proposals to make public school financing a Federal as well as state and local responsibility have never been threshed out. A full airing of the arguments pro and con, Dr. Norton says, would make decisions, action and leadership easier. And it is up to the teachers to help with this homework.

14 1958

Pupils Must Be Educated for World Change--Wendt

Less Work, Wider Leisure to Be Factors

14

By G. K. HODENFIELD
AP Education Reporter

Picayune 8-9

Tue 3-25-58

New Orleans, La.

PHILADELPHIA (AP)—The grade school children of today will be the citizens of the vastly changed world of tomorrow — and they must be educated accordingly, a noted scientist-teacher declared.

"We now have in our schools the citizens of the 21st century," Dr. Gerald Wendt declared. "It would be a grave mistake to educate them only for the 1960's, or even for the year 2000."

'Powerful Social Forces'

Wendt, a former science professor and now president of the UNESCO publication center in New York City, was the opening speaker at the annual convention of elementary school principals. He drew this picture of the brave new world of tomorrow:

Trips to the moon will be commonplace excursions by the year 2000. Man will live at least 10 years longer than he does today, and the last 20-30 years of his life will be spent in leisure. The average work week will be cut to 30 hours or less, giving man more free time than he has ever known.

"Man is in the grip of powerful social forces," Wendt said. "We must look ahead. The pace of research will continue and social change will accelerate."

In the 21st century, he said, "the business of earning a living will be only a minor function. Learning to live will be the most important part of man's life.

'Revalue Idea of Work'

"Perhaps man will be forced to revalue the very idea of work itself. There are many other things for human beings to do beside work — or even think. With more time at his disposal, man will turn more and more to recreation. This will in turn bring a thirst for spiritual and cultural education."

Wendt said four basic factors will bring about the fabulous changes that are inevitable in the next century:

The million-fold increase in power, wrought by the breakthrough into the heat of the atom;

Man's entry into space, first with satellites but soon with space platforms and actual manned flights;

The increase in longevity by victory over disease, particularly of the virus type, and the conquest of time through electronic developments and automation.

U. S. EDUCATION BEATS RUSSIAN EXPERTS SAY

We Have More Schools More Students

14

BY WALTER TROHAN
[Chicago Tribune Press Service]

Wed. 3-19-58

Chicago, Ill.

Daily Tribune

P 1-II

Washington, March 18 — American ecucation is not inferior to Russian education in the considered judgment of educators, federal officials and experts on Russia.

The latest figures available at the United States department of health, education and welfare list 765 institutions of higher learning in the soviet union for the educational year 1955-56. The total enrollment was 1,867,000 students.

Of the total enrollment 1,228,000 were full time students and 639,000 students took part time or correspondence courses. These figures are from official Russian reports.

Top Russian experts in the American military and civil departments of the government warned that the official Russian figures must be accepted with the greatest of caution.

Only 33 Universities

Altho the soviets list 765 institutions of higher learning there are only 33 full universities in the American sense in the soviet union. The others are partly secondary schools or specialized schools of a type not included in American totals.

By way of contrast, the United States had 1,852 institutions of higher learning in the 1955-56 school year with a total enrollment of 2,946,985. This included 484 junior colleges, 45 technological schools, 125 theological school, 198 teachers colleges, and 125 other separately organized professional schools. The list included 141 universities and 718 liberal arts colleges.

American experts cautioned that the total soviet population in 1956 was over 200 million as against under 170 million for the United States.

U. S. Has 50% More

With about 20 per cent less population, the United States has about 50 per cent more persons taking higher education.

In a study of "Soviet Professional Manpower," Nicholas De Witt of the Russian research center of Harvard university, found that higher education "is undoubtedly more accessible in the United States than in the soviet union."

In 1953, De Witt reports, the United States had roughly 5,800,000 persons with completed higher education—college or first professional degree—as against roughly 2,000,000 for Russia.

However, in applied scientific fields—engineering, agriculture and medicine—the number of Russian professionals was about equal to that of the United States. Educators have noted stress in the soviet union on training of scientists, engineers and technicians.

Lead in Engineers

In 1953 Russia had about 500,000 trained professional engineers, while the United States had 530,000. The soviet union had about 280,000 physicians and only 20,000 dentists, while the United States had about 195,000 physicians and about 90,000 dentists. The United States had 150,000 trained agriculture specialists while Russia had about 170,000.

American experts cautioned that all soviet figures must be taken with extreme caution. At times the soviets list legal and medical training in middle rather than higher education, but undoubtedly these classifications are for law clerks or medical aids. At other times the same groups may be classified among those of higher education.

Comparisons Difficult

Figures on higher education not only vary on enrollment within a year but even vary in the total number of institutions. The variations and the differences in approach to education make comparison between Russia and the United States extremely difficult, experts cautioned.

American experts said the Russian educational system is a comparatively new development. The system was borrowed from Germany. Germanization of the Russian educational system began in the 1930's.

American experts said soviet scientific accomplishment cannot be credited entirely to the present soviet educational system and its emphasis because it is a comparatively recent development. The men who trained the present crop of professionals are not products of the soviet system as it exists today.

Gallup Poll—

Principals Are Dissatisfied With Training Of Teachers

(Third Of Six Articles)

By GEORGE GALLUP
*Director, American Institute of Public Opinion

Commercial Appeal 8-1

Tue 4-8-58

14

Memphis, Tenn

PRINCETON, N. J., April 7.—Although many are products of teacher's colleges themselves, the nation's high school principals are far from satisfied with the job some of their "alma maters" are doing at present.

Behind their feeling that schools today are too easy on students, the principals have this attitude about teacher training;

1. Seven out of 10 high school principals in a nationwide poll indicate some degree of dissatisfaction with present methods of training teachers.

2. High school principals, in fact, tend to agree with critics who hold that teacher's colleges spend too much time on methods of teaching and too little on the subjects that will be taught.

Liberal Arts First

It's due time, in the opinion of many, that teachers be trained in liberal arts first and the proper way to teach second.

Not only do principals feel that the "how" is over emphasized, many believe it is being badly taught. They would like to see more practical "classroom" work and less training in "theories of teaching."

A poll of 1,100 high school principals asked this question:

"Are you satisfied with the type of training teachers get today, or should this training be changed?"

Their vote:

Satisfied with present	23%
Dissatisfied, need change	72
No opinion	5

The change most frequently advocated was one that would place more emphasis on subject matter—specifically liberal arts courses—and less on professional courses, methods and procedures.

In fact, as a second question shows, in a "subject versus method" vote, the principals side with critics of present teaching methods:

"Some people say that students in teacher's colleges spend too much time on learning teaching methods, but not enough time learning the subjects they are to teach. Do you agree or disagree with this criticism?"

Agree	58%
Disagree	35
No opinion	7

By size of schools, the greatest amount of dissatisfaction with present teacher training is displayed by principals in the smaller schools—those with less than 1,000 students.

In the larger schools, with more than 1,000 student enrollment, principals tend to be more satisfied with present methods of training teachers.

The greatest amount of satisfaction comes from principals of schools in the East and the Midwest; the least in the South and Far West.

RICKOVER SCORES SCHOOL EQUALITY

14

Assails Like Treatment of All Pupils as a Barrier to U. S. Mental Growth

Times P.32

By IRA HENRY FREEMAN

New York, N.Y.

Equal treatment of all pupils in the name of democracy has ruined the nation's elementary and high school education, Rear Admiral Hyman G. Rickover asserted yesterday.

The admiral, a frequent critic of American public education, spoke at the inauguration of Dr. Ernst Weber as president of Brooklyn Polytechnic Institute. The ceremonies were held in a tent before the new building of the institute at 333 Jay Street.

"We waste the best years of our children in the name of democracy and of the sacred comprehensive school," Admiral Rickover said. He said such a school 'must cater equally to children af such diverse mental capacities that, among one age group, the mental age between the least and the most-gifted may differ as much as six years.'

Jun. 4-20-58

'Pity and Horror'

"The careful manner with which European authorities find the proper schooling for each child's gifts is criticized here as cruel and undemocratic," he said. "Weeding out by examinations arouses pity and horror. Most Americans seem to regard education as a commodity or service which anybody ought to get, simply by paying tuition or by having the cost of education met through taxes.

"Children may not only be barred from mental growth where high tuition withholds education from poor children. Just as much harm may be done when pupils are forced into an intellectual straightjacket for the sake of democratic equalitarianism.

"A school system that insists on the same instruction for the talented, average and below-average child may prevent as many children from growing intellectually as would a system that excludes children because of social, political or economic status of parents. Neither system is democratic."

Admiral Rickover also condemned what he called the domination of American universities and schools by administrators rather than scholars. He callde for a unified educational system with uniform national standards to supersede the authority of 50,000 local school boards.

Urges Basic Schooling

He scorned "trivial" courses, demanding a return to basic arts and sciences in secondary schools and colleges.

Dr. Weber, who has actually been president of the institute since last December, declared in his inaugural address that national programs of research in science today were "well intentioned but pernicious." The system requires, in advance, a detailed outline of what the scientist intends to discover, he said.

"I submit that this is stimulating mediocre research where you dare not go far and, above all, dare not think originally," Dr. Weber said. "True scientific research cannot be planned in all details. Grants should be made to qualified people without restrictive covenants and terminal dates for accomplishment."

Honorary degrees of Doctor of Engineering were conferred upon Admiral Rickover and Edward E. Kleinschmidt, inventor of the Teletype. Honorary Doctor of Laws degrees were conferred upon Mayor Wagner; S. Marion Tucker, retired Professor of English at Brooklyn Polytechnic, and Bishop Herbert G. Welch, 96-year-old Methodist Bishop Emeritus of Japan and Brooklyn Polytechnic's oldest alumnus.

A plaque dedicating the new building was unveiled by Mrs. Grace Larsen Rogers and Preston R. Bassett. Mrs. Rogers is the widow of Dr. Harry Stanley Rogers, former president of the institute for whom the new building is named. Mr. Bassett is chairman of the board of trustees. Dr. Livingston W. Houston, president emeritus of Rensselaer Polytechnic Institute, eulogized Dr. Rogers, who died last year.

Grading Colleges on Salaries

New York Times

N.Y.

4

Recent reports indicate that while industry continues to lure talented personnel from college teaching ranks, the colleges are perpetuating the situation by offering discouraging salaries. Half of all college and university teachers, it was disclosed, receive less than $6,000 a year.

Jun. 6-8-58

Reports show that the average salary scale for college instructors is on a par with that of workers in mining and quarrying or in miscellaneous repair services and hand trades. The workers received from $4,568 to $4,710 in 1956, according to the current "Economics Almanac."

P.E 11

The median salary for college instructors, according to the National Education Association, is $4,562, while for full professors it is $8,072. There are, however, attractive salaries at the top, such as $20,000 for a full professor at Harvard University, $18,000 at Yale and $17,000 at Johns Hopkins.

But only 1 per cent of all college teachers earn more than $13,000 a year, the N. E. A. reported.

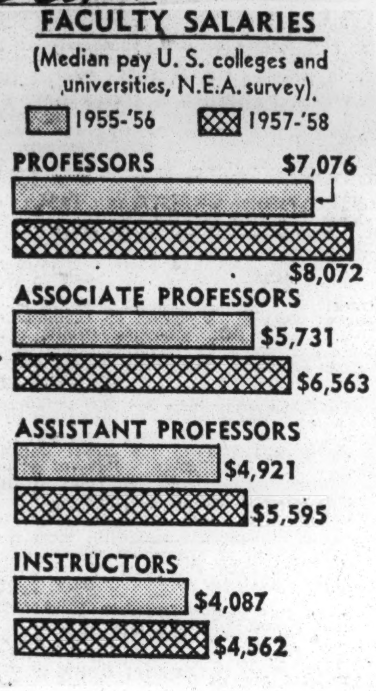
An unusual approach to the problem of getting a "living wage" for college teachers has been offered by the American Association of University Professors. This influential group recently adopted a resolution which would throw the light of publicity on all salary scales by grading institutions according to what they pay.

Salary Ranges

The plan was developed by Prof. Fritz Machlup of Johns Hopkins University. It provides grades from AA to F as salary range designations for the colleges and universities. For example, those with a range from $3,250 to $5,250, from instructor to full professor, would be labelled "F," while those with a range from $5,000 to $12,000 would get an "A." There are at present academic institutions in each of the grades with the exception of "AA" which is set up as a goal for all to aim it. Its range is from $6,000 to $14,000.

Harvard comes close to the "AA" rating with its minimum of $5,500 for instructor to $12,000 minimum for full professor.

The N. E. A. survey showed only 372 professors out of 90,276 receiving over $15,000 a year.



14 1958

Elliott Says U.S. Trailing In Education

Advertiser

P 10 A

14

Montgomery Ala

10-31-58

Congress, during its 85th session, took a good look at Russia's offering in the field of education and tried to find an answer to that challenge in America," an Alabama Congressman said.

Carl Elliott of Jasper in the Seventh Congressional District, told the League of Municipalities that Russia decided long ago that the way to whip America was in the field of development of the human mind.

He cited records to show that Russia in 1957 graduated 500,000 more high school students than the United States—"a nation that has prided itself in mass education."

In the training of scientists and technical aids, Russia also surpassed the United States, according to the congressman. And in the teaching of foreign languages, the U.S. runs an even poorer second, he said.

Such conditions, brought to light by the advent of Sputnik, encouraged Congress to make funds available for language and counseling institutes, scholarships and fellowships for able students and the construction of adequate laboratory facilities, he declared.

Loyalty Oath Blasted In School Bill Protest

By Jerry Landauer
Staff Reporter

Post

Washington D.C.

Fri. 12-12-58

7

The American Association of University Professors has prepared a stiff protest against a little known provision of the aid to education bill requiring recipients of Federal money to sign a loyalty oath.

The section requiring student applicants to swear to their loyalty was written into the National Defense Education Act on the Senate floor in the final hectic hours of debate on Aug. 13.

It was proposed by Sen. Karl E. Mundt (R-S. D.) and was adopted by voice vote. House conferees accepted the loyalty provision and, without attracting much notice, it wound up in the final version that was sent to the White House.

Mundt's amendment reads as follows:

"No . . . funds . . . shall be used to make payments or loans to any individual unless such individual has executed and filed with the Commissioner (of Education) an affidavit that he does not believe in, and is not a member of and does not support any organization that believes in or teaches the overthrow of the United States Government by force or by violence or by any illegal or unconstitutional methods . . ."

In letters to 41 members of Congressional committees that handled the bill, officers of the 40,000-member Professors Association say they were "shocked and alarmed" to learn of the loyalty oath requirement and brand it as "thoroughly harmful."

Other letters asking for its repeal are being prepared for all members of the incoming 86th Congress.

The professors' protest, sent under the signatures of Bentley Glass, president, and William P. Fidler, general secretary of the Association, argues that the oath is objectionable for these reasons:

"It singles out persons in education as objects of suspicion; it imposes a 'test oath' repugnant to our traditions; and it exposes those signing the affidavit to the possibility of perjury prosecutions resting on vague allegations or improper and intimidating inquiries about their conduct and their beliefs."

In effect, the professors' brief continues, "the Act seems to say to members of the educational community:

" 'You are an important part of American life and you have an admitted real need, but let there be no mistake about the fact that you are a particularly suspect part of the population and will have to pass a special test that other citizens need not take.'

"This is a prejudgment of the teachers and students of America which we cannot believe the Congress intended to make."

The professors say the loyalty oath requirement "appears certainly to affect" applicants for undergraduate loans and graduate fellowships; students and staff of language research institutes and foreign scholars who teach in them; applicants for stipends for advanced language training; high school counsellors who attend training institutes and even members of the Science Information Council.

Four ex officio members, including the Librarian of Congress and heads of departmental libraries, presumably will not have to sign the oath because they are already on the Federal payroll.

DEBATE NEED OF RELIGION IN PUBLIC SCHOOL

Daily Tribune

Chicago Ill

14

Fri

11-21-58

P5

There is an increasing trend towards worldly values at the expense of spiritual values in public schools and steps must be taken to halt it, John Harms, executive secretary of the Church Federation of Greater Chicago, told the citizens' schools committee Thursday.

He said the federation believes "functional coöperation" must be effected between churches and public schools to assure that ethical, moral, religious, and spiritual values are taught to public school children.

The federation favors public education and respects the principle of separation of church and state, Harms explained, but feels that some coöperative program must be inaugurated to assure the exposure of public school students to moral concepts.

Two Others Disagree

Paul Mundy, associate professor of sociology at Loyola university, and Byron Miller, consultant on church and state for the American Civil Liberties Union, took exception to Harms' comments.

Mundy said that his contacts with Loyola students who previously attended public schools convinced him that moral and ethical values are being taught in public schools.

Under the United States Constitution, Mundy continued, public payrolls cannot include questions on religious matters. To have the function of religious instruction taken over in public schools by persons whose qualifications in this field cannot be tested

would be a risky thing, he added.

Not Advocating Teaching

Harms replied that the federation is not advocating religious instrction in the public schools, but favors giving public school students time off to receive religious instructions from churches of their choosing.

SOUTHSID ESTATES CASE

Ruling on Religious Use Of Schools Is Deferred

Times-Union

14

Jacksonville Fla

Fri 12-12-58

P 21

A ruling was deferred yesterday on whether the school trustees have the right to permit religious services in school buildings.

The question has been raised in an injunction suit brought against the Board of School Trustees in Circuit Court by several church groups from the Southside Estates area.

Arguments on a motion to dismiss the suit and a motion to strike certain of the complaining parties were scheduled for a 30-minute hearing before Judge Albert W. Graessle Jr. yesterday, but went on for more than two hours.

A key point raised yesterday by Graessle is whether or not Florida laws specifically or by implication give the trustees authority to permit use of school buildings for social, recreational or community functions as long as the functions do not interfere with the regular school program.

One section of the statutes gives the trustees authority to permit use of the schools for "legal assembly."

Edward S. Parrish Jr., representing the church groups and several individuals, argued primarily that the trustees should be barred from permitting services in the school on the doctrine of separation of church and state.

The trustees were represented by A. M. Foote Jr. and Daniel A. Naughton, who brought up the case yesterday on the dismissal motion based on several technicalities and the claim the suit fails to show a cause for action in the courts.

The case stems from a trustee ruling permitting Roman Catholic services in the Southside Estates Elementary School on Sundays pending the construction of a church building for the newly formed Catholic parish.

It was brought out yesterday that the trustees' action is a revision of its rules to the effect that the schools can be used by any sectarian group as long as the activities do not interfere with educational programs.

Since the suit was brought, the trustees have granted use of the schools to several other sectarian groups.

14 1958

Herald Tribune
P5
14
New York
Wed
6-18-58

Russian Education Is Universal

But Gunther Says People Are Most Ignorant of Affairs Outside Nation

By John Gunther

(This is the tenth of a series of eighteen articles based on the book "Inside Russia Today," by John Gunther, published by Harper and Brothers, New York.)

Moscow University, an imposing structure done in "Russo-modern" architecture, is known officially as the M. V. Lomonosov State University, and is the proudest skyscraper in the city. It rises to a height of 787 feet; only seven buildings in the entire United States are higher, and it is the highest structure in Europe except for the Eiffel Tower.

The University has 1,900 laboratories, 15,000 rooms, 113 elevators, and 110 kilometers of corridors. Physics and chemistry each have large buildings of their own, wings of the main structure. There are eight candelabra overhead in the assembly hall; each weighs five tons.

The skyscraper division of Moscow University was built between 1948 and 1953, and cost three billion rubles, one billion of which was for equipment. This, at the official exchange, is $750 million, more than the total endowments of Harvard, Yale, and Princeton put together, and is about five times the total value of the plant of the University of Chicago. Money is no object in the Soviet Union; when the government wants to spend something, it spends it. Moscow University's annual budget is 250 million rubles, without counting new construction.

All Are Scientists

The University has a teaching staff of about 1,800, for approximately 17,000 students not including 6,000 correspondence and night school students and 1,500 graduates working for advanced degrees. Those in the main building, about 13,000, are *all* science students—in the faculties of physics, chemistry, biology, geology, and geography (which includes such fields as oceanography and meteorology). A student can spend his entire five years here majoring on a single aspect of geography. The emphasis is on pure science and research. The aim is to train specialists, moreover specialists in *theoretical* work

A teacher starts with a salary of about 3,300 rubles ($825) a month, and a full professor, who has served ten years gets 5,500 (1,375) a month, but many earn a great deal more than this, up to even 30,000 rubles.

Some comparisons to higher educational processes in the United States are relevant. For one thing, entrance into college is, by and large, pretty much of a routine phenomenon on the American scene, but not in Russia. Whether or not a Russian boy or girl passes into the University is probably the single most important event to take place in his or her whole life.

Every Russian student is *paid* to go to college. There is no economic problem for him or his parents. He receives a stipend, or salary, from the state. This starts at 300 rubles ($75) a month, and rises to 500 ($125) in the fifth year. Particularly good students are rewarded with substantial bonuses.

No Army Service

Again, most Russian university students are exempted from military service. The Soviet authorities would not dream of taking a promising young physicist away from his studies and interrupting his education by service in the armed forces.

Still again, Russian standards are severe. The number of hours of instruction is between a thousand and thirteen hundred per school year, many more than in the United States. In contrast to the pampering that goes on in a great many American schools, the regime is harsh.

Finally, the university graduate in the Soviet Union is, of course, assured of a job at once, and his prestige and earning power will, like as not, bring him substantial economic rewards more quickly than these come to run-of-the-mill university graduates in the United States.

Moreover, an intellectual in the Soviet Union is envied, not scorned, and has an honored place in the community from the moment he gets out of college.

In the United States a brick layer or a plumber may earn more than an assistant professor of a university. But an assistant professor in Moscow is paid roughly three times what a skilled worker gets.

Education in General

The main thing to say about education in the Soviet Union, next to its stress on science, is that it is universal. Illiteracy has been wiped out, except among a few surviving old people; since the beginning of the Soviet regime, more than 100 million people have been taught to read and write. There are 213,000 schools in the country today, and they operate in more than *sixty* different languages. The government has fulfilled its promise to give education to the entire nation, where little education existed before.

But what is all this education good for if it does no more than teach citizens to become obedient robots? The purpose of education, as we see it, should be to make minds free. Immense areas of knowledge are cut off from the Russian people and they are fed lies incessantly.

The Soviet system of education does not produce a well-rounded human being. A young man may know everything there is to know about marine biology, but this does not mean that he is educated. The Russians have the most formidable educational machine in the world, but they are also the most ignorant people about affairs outside their own country.

Still, it would be unwise to minimize the Soviet accomplishment. The U. S. S. R. graduated in 1956 about seventy thousand engineers; the corresponding figure for the United States is thirty thousand. Moreover, the Russian curve is going up; the American curve is going down.

© 1958, John Gunther

(In the eleventh article of this series, appearing tomorrow, Mr. Gunther discusses science and art in Russia.)

14

the M. V. Lomonosov State University) which has a faculty of about 1,800 and a student body of 17,000, not including 6,000 correspondence and night school students and 1,500 graduates working for advanced degrees. The main building is thirty-four stories high.

ONLY A SUBSTITUTE

TV Offers 'Possibilities' If State Closes Schools

By RICHARD ASHWORTH

Journal Constitution
Sun. 10-13-58
14
P. 32
Atlanta Ga.

Local and state educators quietly admitted last week that television offers "possibilities" for continuing education in Georgia if state schools are closed as the result of federal court integration orders.

They also admitted, however, that education by TV can only be thought of as a "substitute" or stopgap means for instruction until schools—public or private—are reopened.

And they also point to the great shortcoming in trying to teach by TV without classroom teachers or—in case a court enjoins public school teachers from taking part in private school operations — without properly trained TV teachers.

Educators at this stage are frankly skittish about the whole idea. They say they "haven't even thought about" the possibilities of using TV if schools are closed. And they quickly add they had rather not be quoted directly about it either.

* * *

AT THE BOTTOM of this is the pending suit in federal court here to integrate the Atlanta schools. This is acting as a gag on city school officials who have been instructed not to talk about the matter for fear of prejudicing their case.

And on the state level, high-placed educators aren't talking for the record either about the possibilities of continuing education by TV if schools are ordered integrated and if the state closes them to prevent it.

They say they don't want to appear to have taken a "defeatist attitude" about the pending suit by talking about how to continue education when public schools are closed down.

Even the manager of one local television station declined to comment at length about the question.

* * *

HERE'S THE gist of what they think about TV as a possibility for continuing instruction for pupils when and if integration orders—and state action to close schools — comes:

Lessons could be presented either by commercial or state operated educational TV stations. Commercial stations here probably would do as the three stations in Little Rock, Ark., did — get together and offer their facilities to the local school board and let them decide on what they wanted to present as TV lessons.

As one local TV executive put it: "We would let them decide what curriculum to present and then we would agree to do so many hours apiece so nobody would get hurt."

The city-operated educational TV station couldn't be used for this purpose unless most local TV owners went to the $15 to $20 per set expense of converting their receivers to ultra-high-frequency (UHF).

* * *

AND THE ONE operating in Fulton County's Conley Hills school couldn't be utilized because it operates on a closed circuit.

Although state educators say they haven't thought of using them for that, educational TV stations for which the state has obtained or is seeking licenses in Athens, Savannah and Waycross could be used for this purpose.

In the same breath, however, state educators emphasize that licenses for these stations are being granted or entertained by the Federal Communications Commission—a federal agency — and the body might react unfavorably if it thought the stations would be used as a subterfuge to get around a federal court integration order.

* * *

EITHER BY the state-operated stations or by commercial TV, lessons could be beamed over the air for all age groups, with lessons presented by trained TV teachers—if public school teachers could be used for this.

But staring officials in the face is the possibility that federal courts might seek to prevent state-paid teachers from being utilized for this purpose.

Educators and TV executives are quick to admit that without teachers, the plan would be worthless. One state educator said, "I don't see how we could ever hope to handle it without teachers."

One local school official suggested that the answer to that might be going to Emory University, Agnes Scott College and other schools and hiring teachers to present various subject lessons via TV.

Money to foot the bill for this would have to come—as it did in Little Rock—from public subscriptions.

Even if regular teachers could be used to present lessons on TV, there is the question of how students could get credit for TV courses they took—or how they could get diplomas.

* * *

ONE STATE educator suggested this could be done by having students take tests similar to general education development examinations taken by ex-GIs after World War II to get high school diplomas.

The biggest drawback educators see in the idea is its limitations through the loss of the teacher-pupil relationship existing in a classroom.

Although TV admittedly has great "possibilities" for teaching thought of as an "enrichment" medium to be used to supplement the work of the regular classroom teacher.

* * *

"YOU'VE GOT to maintain the teacher-pupil relationship — and that's the shortcoming of this thing," a state educator said. "You need a teacher in the room where the TV set is to help the student with the material being presented."

And educators frankly say that this is a job which parents cannot fill themselves.

"A youngster has to be able to ask questions, to get answers and be stimulated for him to learn properly," one official declared.

Lessons being beamed into a home where a student is sitting alone by a TV set "can never take the place of teachers and classrooms," all the educators say.

State's First Closed Circuit School TV System Is Placed In Use Here

Tuskegee News
Tuskegee, Ala.
Thurs 11-13-58
14
P. 1

Tuskegee schools last Friday became the first school system in Alabama to place in use a school-wide closed circuit television system to supplement its regular curriculum. Twenty-two outlets for TV reception were used as the system was placed in use and additional outlets are planned to bring every building on the campus into the system.

During the past Summer 1,500 feet of coaxial cable was installed by the school, with the elementary school stage and the broadcast room of the music building fitted out as studios. A TV camera for use in the program was loaned by B. D. Cohn, of Gottlieb's Department Store, but school officials hope soon to be able to raise funds for purchase of their own camera as well as additional receiving sets.

In the test last Friday activities in various classrooms were televised to all rooms where TV sets had been installed. Many of these sets had been loaned by parents of the pupils. The TV camera and monitor were moved to the various classrooms to pick up regular class work and these activities were viewed on the other receiving sets in the various rooms. One large number of students was assembled in the high school auditorium to view the test.

Much interest was shown by the students as they saw on the TV screen the activities of their fellow students in other rooms of the two schools.

In the test last week activities in the first, third and fourth grades were seen over the circuit and reception was described as excellent.

"Use of closed circuit TV in schools has tremendous possibilities in the educational field," said Prof Wadsworth. "We are working toward regular closed circuit programs for the entire school and perhaps by next year we will be able to utilize our system as an additional teaching aid on a regular basis."

Tuskegee News Tuskegee Ala. Thurs 11-13 P.
14.

SCHOOL TV SYSTEM TESTED—Prof. E. W. Wadsworth, principal of Tuskegee schools, and two interested students exhibit the camera and one TV set used last Friday in the first test of closed circuit TV equipment in any Alabama high school.

14 1958

Comparative Spending For Education Still Debated

Teachers Say Times Have Changed Little Since They Were Virtual Slaves

U. S. Schools Short 135,000 Qualified Teachers; Low Pay Called One Cause

TEACHERS' PAY

By G. K. HODENFIELD
AP Education Writer

WASHINGTON (AP) — Some of the first teachers in colonial America were virtual slaves, working off a term in debtors' prison.

News Courier

There are many teachers today who insist that times haven't changed a bit.

Perhaps the almost uniquely American attitude of disdain for teachers is the primary reason for this country's teacher shortage. It shows in salary schedules that almost all educators say are too low to lure good teachers into the field and keep them there.

Charleston S.C.

By the latest estimates, U.S. public schools are short some 135,000 qualified teachers. The results are overcrowded classrooms, double sessions and emergency teachers who aren't really qualified for the job.

Jun. 26-58

The recent report of the Rockefeller Brothers Fund, Inc., said the root problem of the teacher shortage is financial.

"Salaries must be raised, immediately and substantially," the report noted. "Those teachers with more than modest financial needs, and responsibilities can only solve their problems by becoming administrators, or leaving education altogether."

In 1957-58, the average salary for all classroom teachers

ing trouble finding enough teachers. Officials in other states complain of California raiding parties that scour the plains east of the Rockies, find good teachers and lure them West with the promise of bigger paychecks.

In any discussion of teachers' salaries, nothing muddies the waters so much as the length of the school year. Someone is sure to say, "I don't think teachers do too badly, considering they work only nine months a year."

And there's no doubt about it, a three-month vacation every year is a very attractive fringe benefit — if you can afford it.

There aren't any exact figures available, but most surveys indicate that two of every three men teachers have to work at summer jobs to make both ends meet. The ratio for women teachers seems to be about one in eight.

That takes some of the gloss off the three-month vacation. So does the requirement in many states that all teachers continue to improve themselves professionally by attending summer school, usually at least once in every four or five years.

Even if they weren't required, summer school courses offer the teacher the only practical way he can advance both professionally and financially.

At 50 to 60 hours a week, the pay scale drops to $2 to $2.40 an hour. That is considerably below the pay of the average plumber, carpenter, bricklayer or other skilled workman in the building trades, and even further below the pay scale in most other professions.

These weekly and hourly figures are based on the national annual average of $4,520. If we consider Mississippi's yearly average of $2,520, it comes out to $68 a week for a 37½-week school year, or about $49 a week on a full-year basis. And the hourly rate, even for the school year alone, drops to between $1.13 and $1.36.

To earn this salary, Mississippi requires that a teacher have at least a bachelor's degree from a four-year college or university, with from 18-24 semester hours in professional education courses. Since the pay scale doesn't attract many such teachers, Mississippi and other states have to rely heavily on "emergency" teachers, some of whom have had little more than a high school education.

At the other end of the salary scale sits California, paying its classroom teachers an average annual salary of $5,750. Using the same basis as above, this works out to either $153 or $110 a week.

Even so, California is hav-

was $4,520 a year. But that figure is deceptive. California and New York hire the most teachers, and they pay the highest salaries. That brings the average up.

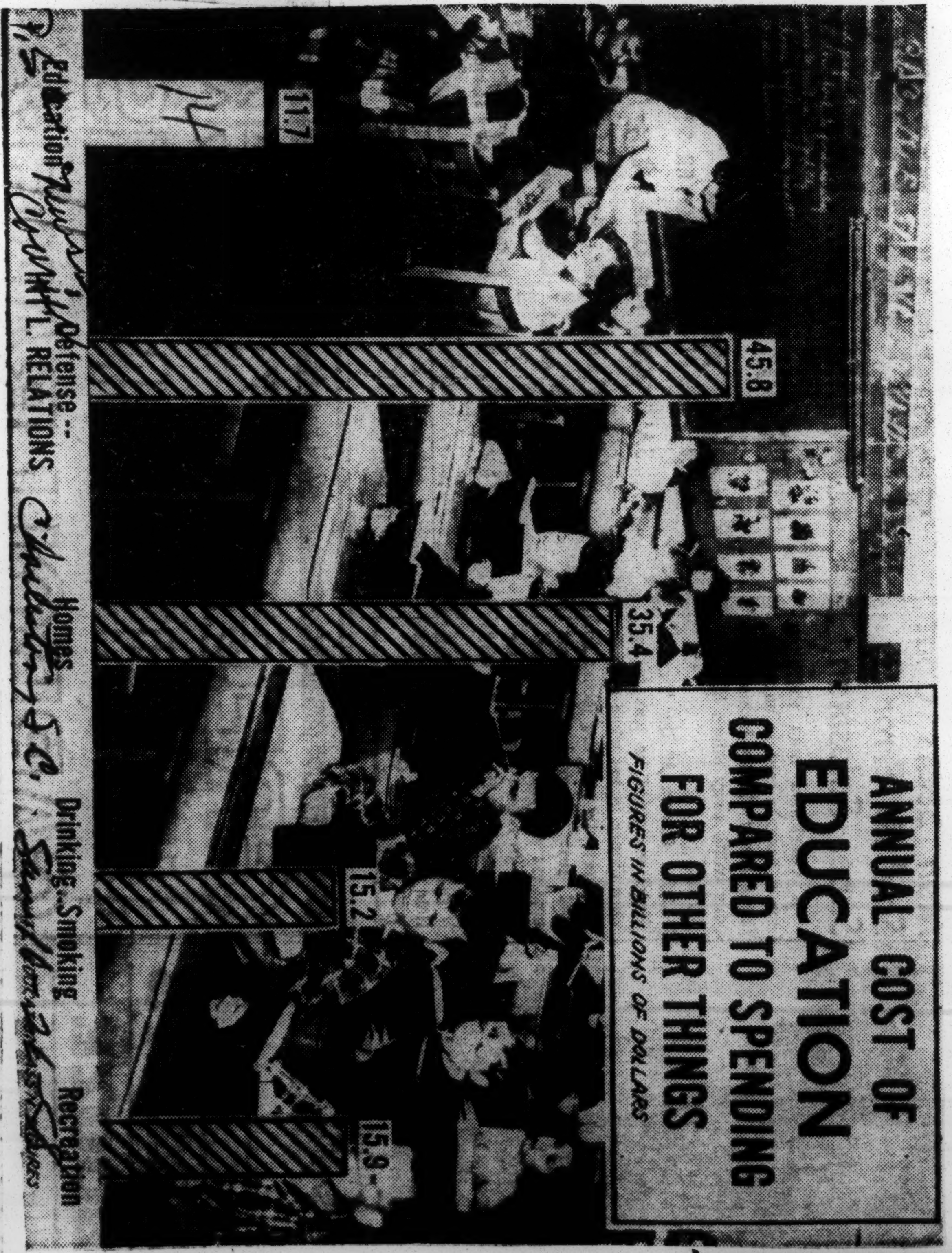
One out of every four classroom teachers last year received less than $3,500. In eight states the average annual salary of the entire teaching staff was less than $3,500.

In three states—North Dakota, Mississippi and Kentucky—one teacher in three was paid less than $2,500 for the school year. The average for all of Mississippi was just over that: $2,525.

If we use the national average of $4,520, it works out to about $120 a week for the school year, or about $86 a week if the salary is supposed to cover a full 12-month period.

On the basis of a 40-hour week, that $120 works out to an even $3 an hour. That's a nice round figure that sounds fairly impressive—but here again the figure is deceptive. The teacher who works a 40 hour week is a rare bird, indeed.

Most surveys show that teachers work anywhere from 50 to 60 hours a week on school chores — teaching, preparing lessons, grading papers, taking tickets at basketball games, chaperoning dances, and organizing and supervising outside activities.



ANNUAL COST OF EDUCATION COMPARED TO SPENDING FOR OTHER THINGS

FIGURES IN BILLIONS OF DOLLARS

Potential Powderkeg

Parochial School Question Enters Educational Crisis

News-Courier

By GEORGE W. CORNELL
Associated Press Religion Writer

Charleston, S.C.

A potential powderkeg involving church-state relations lies almost unnoticed in the Southern moves to subsidize private education.

14

Authorities said the legal ramifications, striking a sensitive point in American history, could ultimately put church-run parochial schools in line for tax money.

Feb. 3-58

"The situation could bring the whole church-state issue into full cry again," said the Rev. Niel McCluskey, a Roman Catholic education analyst.

P. 3A

"It seems obvious to me that you can't take state funds and help those in some private schools and deny it to those in others," said the Rev. Dr. Claud Nelson, a Southern-reared Protestant specialist on church-state relationships.

About 90 per cent of the approximately 5½ million private elementary pupils at present are in Catholic schools. Lutherans and some other Protestant bodies have sizable parochial enrollments.

The Very Rev. Msgr. Frederick G. Hockwalt, director of the Education Department of the National Catholic Welfare Conference, said any Southern plan for supporting private schooling would bring a reassessment of parochial school status.

"Our board hasn't taken up this question officially yet, but I'm certain we'll have to review it," he said. "Whether we would accept any support is a moot point, depending on the circumstances."

In modern times, Protestants and Jews generally have opposed government aid to parochial schools, while many Catholics have favored it in limited forms. All three groups, however, include influential exceptions to the pattern.

The differences arise from varying interpretations of the First Constitutional Amendment, forbidding any law "respecting an establishment of religion"—the so-called church-state separation provision.

In this connection, the Southern maneuvers for private schools, boiling up in Arkansas and Virginia and simmering in other Southern regions, has produced some ironic twists.

The effects, if eventually successful on a long-term basis, were seen as possibly leading to more Protestant - sponsored parochial schools — perhaps with tax or related help.

And at the moment, some Catholic sources, usually absorbed by the needs of parochial schools, were ringingly championing the public schools.

"The nation's pride," the national Catholic weekly America called them and complained that Arkansas' Gov. Orval E. Faubus had "unceremoniously leveled the 'wall' of separation between church and state." Protestants have frequently employed similar phraseology in parochial school controversies.

Father McCluskey, education editor of America, said he thinks most Catholics would "deplore any short-term gains" to their schools—in form of state funds—on the basis of the present "unhealthy and undesirable situation."

But should state-supported private education eventually be set up on a workable legal basis, he said, it would be a "flagrant case of discrimination" to withhold aid to any qualified private school whether all-boy, coed, brick, wooden, parochial or otherwise.

"The choice of parents couldn't be arbitrarily limited that way," he said.

The Constitution, when public schools are provided, has been applied by the Supreme Court to bar direct parochial school support—but to permit indirect aid to parochial children—such as bus transportation and textbooks.

Most state constitutions also forbid direct support of sectarian schools, but a switch from public to private schooling could require modification of the ban under the equal-treatment terms of the 14th Amendment, it was said.

Arkansas specifically rescinded its ban.

Richard Joyce Smith, a New York attorney and expert on the church-state issue, said the latest Supreme Court integration rulings make clear that any legal state-supported private educational system must be wide open.

To avoid the onus of "evasion" of integration, he said, it must have no segregation strings attached, and to meet fair-and-equal demands of the constitution, no favored schools can be singled out for support.

Many Catholic leaders have favored a plan by which "the aid follows the child" wherever he goes to school. Some Southern leaders also have proposed a similar system of tuition grants

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Sobering Second Thoughts Given To U. S. Schools

14

Debate Across Land Probes Hard At Education Structure

By G. K. HODENFIELD
AP Education Writer

New-Courier

WASHINGTON (AP)—Ever since Sputnik I threw its harsh spotlight on American public schools, a carping refrain has been heard o'er the land: "Our schools are too soft. There are too many soft and silly courses. We need fewer frills, and more of the good ol' three R's."

Charleston, S.C.

In the initial heat of battle, extremists on both sides took stand-and-die positions, and belabored the opposition with facts, figures and fancies.

Jan 15-58

Now, a year later, there seem to have been some sobering second thoughts. The extremists are still with us, of course. But more and more the charges and countercharges are being boiled down to two basic questions:

P5C

Are the American people demanding too much of their schools? And have the schools, in trying to meet these demands, bitten off more than they can chew?

It isn't just a question of soft programs and frill courses. The debate probes hard at the very structure of U.S. education today — education of the complete child, life adjustment, something for everybody.

Take the question of discipline.

Parents wail, "Our kids aren't disciplined in school." And the teachers wail right back, "Parents expect us to educate their children, and train them as well."

Who's really to blame?

Dr. William G. Kvaraceus of Boston University, a long - time student of juvenile delinquency, says it's all part of the American culture of "worklessness."

"Hard work is going out of style," he says. "And hard work is discipline. School is about the only place left where hard work is a way of life, and the schools are among the few places that still teach discipline."

If today's children aren't being disciplined in the home, as many teachers claim, the American parent is abdicating to the school his responsibility for raising his children properly. If he says "Let the school do it"—and gets away with itthe school program becomes jam packed with life adjustment courses.

That in itself may stand as a good example of the changed pattern of U.S. education. It used to be you got life adjustment at home and education in the schools.

Take the case of frill courses—the real nub of the "too soft" charges.

It's true, to the chagrin of many Americans, that some of our public high schools really have courses in such things as basket weaving, fly casting, telephone etiquette, "how to behave on a date," and folk dancing.

These courses may seem hard to defend, and few educators will even try.

"These are the ridiculous exceptions," they tell you.

All right, but how about the not-quite-so-frilly courses? How about consumer education, family relationships, co-ed cooking, ceramics and nutrition? Are these courses preparing American youth to meet the problems of world leadership in the space age?

This touches a sensitive point with most educators.

"It certainly wasn't our idea," they say, "but the pressures are terrific. The schools have to be what the parents want them to be. And American parents showed long ago that they want the schools to be more than just a place to learn Latin, Greek and calculus."

And yet, these same educators find it hard wholly to condemn the system.

We've mentioned the frill courses and the not-so-frilly courses. Now let's consider a non-academic course that has a firm standing in American education and is spreading year by year: driver education.

First off, there are two undoubted advantages to such courses. They reduce the accident rate and lower insurance premiums. It's hard to argue against anything that saves both lives and money.

But the rapid spread of such courses—more than 11,000 high schools now offer them in some form — raises a question: Why should the schools have to devote their time, money and effort in teaching junior to drive the family car? If the courses are worthwhile, why can't they be taken over by the automobile clubs, the police department, or service and civic groups?

Driver education courses, however, are so firmly entrenched in the American schools they will probably become permanent fixtures. And educators, whether they like the idea or not, have accepted it.

14 1958

Newspaper To Supplement Textbooks In Schools Here

Commercial Appeal

City, County Students Will Use The Commercial Appeal To Give Vitality To Their Studies, Correlate Education With Current Events

Sun. 11-2-58

(Pictures on Page Seven)

By GEORGE SISLER

17

Beginning this week The Commercial Appeal is going to supplement textbooks in many Memphis and Shelby County classrooms. It will be used particularly in history, science, English and social subjects—and in vocational subjects such as home economics as well.

Memphis, Tenn.

More than a year in preparation, the "living textbook" program is based on daily study of Monday through Friday editions of The Commercal Appeal to correlate what students are learning in school and what they are talking about at home and on the street.

P.1

The program recognizes that students are junior citizens, not just pupils in classrooms. It aims at giving vitality to their learning, and training them in habits of newspaper reading and of current discussion that will be useful long after they have left school.

Endorsed By Schools

The program has been heartily endorsed by white and Negro high schools upon recommendation of E. C. Stimbert, Memphis public school superintendent. City and Shelby County public, parochial and private high schools also are preparing to participate in the program.

The newspaper-in-the-classroom as a "living textbook" already is in effect at Harding Academy of Memphis. Harding students study newspaper news columns and features and editorials in conjunction with history and civics courses, with current events examinations regularly scheduled.

In endorsing the program and strongly recommending its adoption to his principals, Mr. Stimbert noted that "at every grade level, the newspaper provides a day-to-day report worthy of serious study." Teachers putting the program into immediate effect have noted that "newspapers contain the latest accounts of what is happening in the political world, in civics, economics, science, sociology—in every subjet that is part of the curriculum."

Special Delivery Set Up

The Commercial Appeal has established a special school delivery service, making the daily newspapers available for classroom use at a special student rate of three cents a copy. Daily editions will be used not only for study but for scrapbook and bulletin-board use and for compilation and maintenance of permanent schoolroom reference files on such topics as current events, biography, politics, business and finance and many other fields.

This newspaper will follow through on the "living textbook" program with continuing stories and pictures of how secondary school students are being better prepared to take their places in society as senior citizens. The Commercial Appeal also will conduct periodic public-opinion polls among high school students to demonstrate to adults the quality of their thinking and understanding of what's going on in the world.

As recommended to the schools, the Commercial Appeal's use in classrooms will be pro-rated among students at an average cost to students of about five cents a week.

THE COMMERCIAL APPEAL

17

Sun. 11-2-58
Commercial Appeal
P.7

LIVING TEXTBOOK—This scene will be commonplace in classrooms throughout Memphis and Shelby County next week as daily copies of The Commercial Appeal begin supplementing textbook information. 'Old Reliable's' news columns will help keep the texts up to date and aid in turning out well-informed citizens. This scene is Mrs. Dorris Davies' classroom at Central High School.

KEEPING UP WITH THE NEWS

Commercial Appeal
P. 7 Memphis, Tenn. Tenn.
11-2-58

14

HISTORY BILLBOARD — Prof. Harry T. Cash (right), principal of Hamilton High School, has set up a large bulletin board on which items of current events — news stories, editorials, features—will be posted for student information each day. Hamilton is preparing to use The Commercial Appeal as a "living textbook" in classes from Grades 1 through 12.

(Story on Page One)

—Staff Photo

14 1958

EDUCATION IN REVIEW

Times New York P. G-E

New Goals Set for High Schools to Meet The Challenge of a Changing World

Sun 2-23-58

14

By GENE CURRIVAN

A revealing spotlight was focused last week on defects in the nation's high schools. The principal defects were highlighted in a report issued Friday by a special committee of educators at a conference of the American Association of School Administrators in St. Louis. The association represents more than 10,000 administrators, mostly superintendents, of the country's public and private schools. Another report aimed at reducing sputnik hysteria came from Ithaca.

The St. Louis report called "The High School in a Changing World" was the result of a two-year study by the committee. It stated that there was a pressing need for reorganization of the secondary school curriculums which in many cases are not preparing students adequately for either college or any immediate gainful employment.

It pointed out that between June and September of 1957 more than 200,000 high school seniors in the top 30 per cent of their classes had failed to go on to college. This in itself, the report indicated, was enough to call for a complete reorganization which should include such things as advanced courses for bright students, training in college instructional methods with extensive reading requirements, higher quality high school science and more stress on languages and economics.

Vocational Education

The committee also felt that vocational education could very well be woven into the curriculum and should be tailored to resognize the new trends toward automation.

In substance, the report was saying that secondary education had been in a rut and that it could be pulled out by readily available methods if educators would awaken to the fact that they have been blinded by archiac tradition.

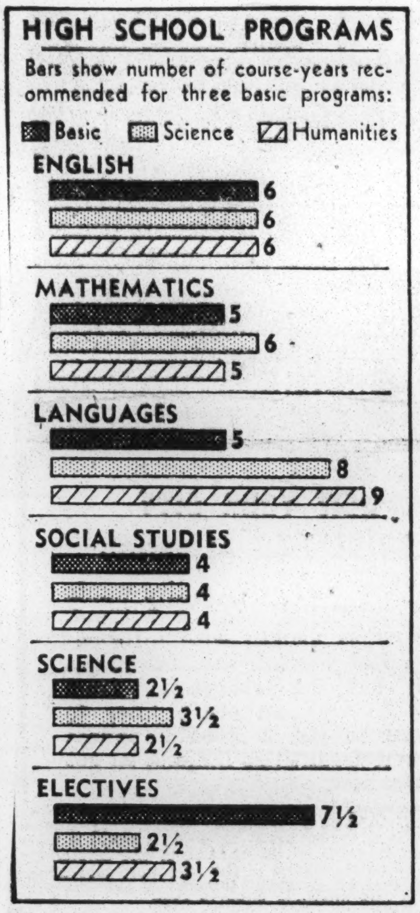
The report challenged what it called the "myth" of the Intelligence Quotient, the average student and the standardized grade level. It called for much more advanced work in the high schools so that students would not suddenly be cast into a college world without adequate preparation. And it called upon the colleges to upgrade their admission requirements.

As for the I. Q. test which has sometimes been called "the new doctrine of infant damnation," the report noted that any test given to measure the intelligence in any particular area covers up as much as it reveals. "Although the I. Q. test is a useful tool in measuring and indicating intelligence," the report stated, "it must always be remembered that it does not give the full picture."

Another weakness, the report noted, is that too much stress is placed on the characterization "average student." The committee held that there is no boy or girl quite like the mythical average student.

This faulty concept in turn, the report indicates, leads to a mistaken effort to lump all members of each grade. Some ninth grade students, it was shown, operate on a more adult level but because of accepted grade levels they must say where they are. The committe recommended a wide range of capacity and interest with a curriculum broad enough to serve all needs.

The committee offered no spectacular proposals or a panacea but held that "progress lies in doing more of the good things already under way" in order that all students could enjoy the advantages now offered in the better schools.



Courses suggested for grades 7-12 by Cornell committee.

Preparation for College

Another approach to the problems besetting high schools was made at Ithaca, N. Y. where twenty-three members of the faculty at Cornell University came up with curriculum proposals designed to produce well-rounded freshmen without pampering the potential scientists among them.

The proposed program which would run from the seventh through the twelfth grades was offered by the faculty members in reply to a request made by the curriculum committee of the Citizens for Good Education at Ithaca. This group, which was formed last year to support a school-bond issue, made the request after the local high school had announced plans for an accelerated program in science. The group felt that the plan had been influenced to too great an extent by the Soviet's sputniks.

The professors said they were deeply convinced "that our greatest need is not for a special program which will put a few exceptional students in college a year earlier but one which will substantially increase the quality and extent of preparation for college work of all college candidates and particularly those of outstanding ability.

"Our greatest need is for a carefully designed comprehensive and thorough college preparatory curriculum. Such a program would provide—for science students and for students interested in other fields—a more solid foundation for college work than would an accelerated program of the kind that has been proposed."

National Blueprint

The program, which could be used as a blueprint for junior and senior high schools throughout the country, outlined curriculums for a basic course, a course for prospective science majors and one for prospective humanities majors.

The plan recommended would de-emphasize general science while at the same time offering a good basic program, and extend mathematics as a base for future work in the sciences.

The committee members, including the scientists and mathematicians, agreed that adding more work in science at the junior and high school level would be of very little help to the prospective college students.

But first among subjects to be improved, they put English. It was agreed unanimously that more vigorous and disciplined training in reading and writing English was the number one proirity. The second most urgent need was for a program of foreign languages.

TRAIN HERE SHOWS SCHOOL PROGRESS

Exhibition, Opened at Grand Central, Depicts Century of Change in Facilities

By LEONARD BUDER

14

The unwary commuter who steps aboard the train on Track 24 at Grand Central Terminal without first reading the signs is in for a surprise. Instead of heading for Suburbia, he will find himself transported back to the nineteenth century.

The train is a special two-car traveling educational exhibition called "Schoolroom Progress U. S. A." It is furnished to depict more than a century of improvements in American school facilities. The first car, which is decorated on the outside to resemble a schoolhouse, shows the "old"; the second car portrays the "new."

Times P. 35 M

The exhibition is sponsored nationally by the Henry Ford Museum, Greenfield Village in Dearborn, Mich., and the Encyclopedia Americana. More than 2,750,000 people in 100 cities across the nation have seen it during the last two and one-half years.

Wed 4-9-58

The train's New York visit, its first here, was arranged by the Seamen's Bank for Savings. A special ceremony was held yesterday to mark the opening of the exhibition.

New York

The train will be open to the public free of charge through April 21. The hours are 9 A. M. to 7 P. M. on weekdays and 1 to 7 P. M. on Sundays. During the commuter rush hours from 4 to 6 P. M. Mondays through Saturdays the exhibition will be restricted to adults.

N.Y.

The train's trip through history starts with the frontier school of the early Eighteen Eighties, where pupils were generally taught by itinerant schoolmasters. This exhibit is patterned after the McGuffey School in Greenfield Village. The black coat and top hat—the schoolmasters' "uniform" in those days—of William Holmes McGuffey, author of the famous McGuffey Reader, hangs in one corner. Across the teacher's desk is a birch switch, an early academic inducement.

'More Than a Teacher,' Girl Writes of Visiting Instructor

Post + Time Herald P A16

14

By Connie Feeley
Staff Reporter

Washington DC

Juanita Butler has found that there is more to teaching than textbooks, classrooms and homework.

In a letter to The Washington Post's Favorite Teacher Contest, Juanita explained:

"I am a tenth grade pupil under the Visiting Instructors Course. I do not attend public school because I have epilepsy. I am 15 years old.

"I would like to have my teacher honored because she is more than a teacher. She also has to be my nurse if I am ill.

Mar 3 16 58

"My teacher taught me one lesson I shall never forget. That is, never depend on the other person to do what you are supposed to do. I learned this because I am at home taking my school lessons by myself, and I cannot look for someone else to do the lesson that I did not do.

"My teacher's name is Miss H. Addison. Her job is harder than a teacher in public school because she has to teach me five different subjects, whereas, if I were in school I would go to five different teachers.

"Aside from teaching the school lessons, Miss Addison also takes on the role of physical therapist. That is, she teaches me how to do useful things to gain control of weak muscles.

The daughter of Mr. and Mrs. Andrew B. Butler, 1121 46th pl. se., Juanita was referring to Helen Addison, a District public school teacher who instructs homebound pupils.

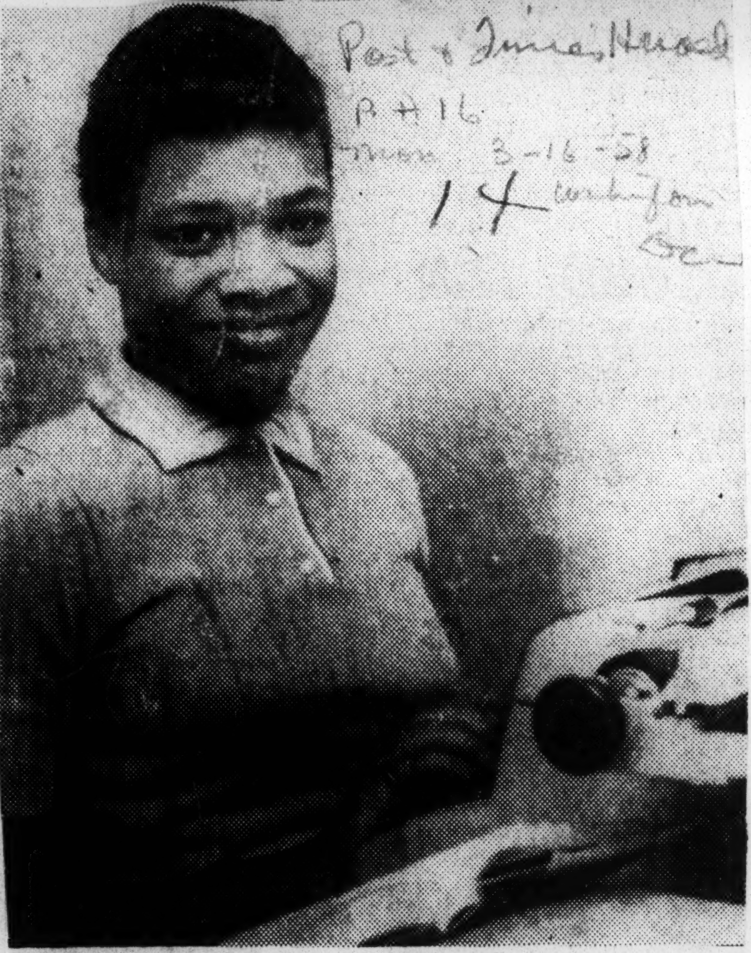
The new Favorite Teacher Contest, which ends March 20, is open to every student in grades 1 through 12 in any public, parochial or private school in the District, Maryland or Virginia.

Youngsters should explain in their own words who their favorite teacher is and why.

Three separate prizes will be given for winning letters. Each of the winning pupils will receive a 17-jewel wrist watch, and each teacher named as favorite will receive a $50 gift order good at any local bookstore. Each winner, his teacher and the entire class will be entertained at a Shrine Circus party.

Contest Deadline 6 P. M. Thursday

Better move fast to get your letter in to The Washington Post's Favorite Teacher Contest. The deadline is 6 p. m. Thursday. Letters should be sent to: Favorite Teacher Contest, The Washington Post, 1515 L st. nw., Washington 5, D. C.



Post + Time Herald
P A16
Mon 3-16-58
14 Washington DC

By Bob Burchette, Staff Photographer

JUANITA BUTLER
. . . *"more than a teacher . . ."*

Education

Only 2 School Bills Are Given Chance

Educator Says Election Year Bars Congress Action on Others

14

By **TERRY FERRER**
Education Editor

Herald P 15

Wed 3-5-58

CHICAGO, Mar. 4.—More than 1,000 bills relating to education are now pending in Congress, but only two of them have any chance of passing in this session, according to Dr. James L. McCaskill, executive secretary of the powerful Legislative Commission of the National Education Association. In an interview here today Dr. McCaskill predicted that unless legislation reaches the floor of the House by mid-June, "we may not get much of anything. This is an election year, and there will be a rush to close Congress early and get out and campaign."

Terry Ferrer

New York N Y

Dr. McCaskill said he was "hopeful' that a compromise bill reconciling the Eisenhower proposals and the Hill-Elliott bill would pass, but predicted more trouble in the House than in the Senate.

Hopes for Compromise On Scholarship Bill

The Administration has proposed 10,000 college scholarships—with preference to science students—and 1,000 to 1,500 graduate fellowships a year for four years, plus a matching-grant program on a 50-50 basis with the states to stimulate and improve counseling and the study of science and mathematics.

Sen. Lester A. Hill, D., Ala., and Rep. Carl Elliott, D., Ala., have proposed in their bill 20,060 college scholarships a year, with no restriction of field, and 1,000 fellowships the first year, rising to 1,500 for the next five years — plus flat grants to teachers preparing to be counselors or wishing to take summer institutes.

Dr. McCaskill said that the other bill he is "fairly sure" will pass is the King-Jenkins bill, H. R. 4662, introduced by Reps. Cecil King, D., Calif., and Thomas Jenkins, R., Ohio. This will would permit teachers to deduct up to $600 a year on their income taxes for educational expenses in courses to improve their teaching.

Complacency Followed Launching of Explorer

Because of the numerous bills in the hopper, it is very difficult, Dr. McCaskell said, to get "many members of Congress together on any one bill." The "Sputnik-Mutnik scare," he said created alarm in Congress about educational deficiencies, but "since we got the Explorer in the air, there has been increasing complacency among the public and in Congress." These two factors are now working against any educational legislation at this session, Dr. McCaskill said.

Dr. McCaskill summarized eighty-four of the pending bills in a formal address this morning at the thirteenth National Conference on Higher Education, which closes tomorrow. The conference is sponsored by the 18,000-member Association for Higher Education, a Department of the N. E. A., and is being attended by more than 1,000 college presidents, deans and professors.

The conference continued in session meetings all day. Dr. Paul Woodring, consultant of the Ford Fund for the Advancement of Education and author of "A Fourth of a Nation," urged liberal arts colleges to train teachers as a "responsibility." Such teacher training in the past, he said, has been assigned to the Department of Education "while the rest of the faculty looks away, muttering occasional scornful remarks about educators and education, but refusing to take any real part in the planning. This, I am convinced, is the source of many of our problems."

W. Robert Bokelman, specialist in college business management of the United States Office of Education, reported that the average salary for a college president or chancellor this year is $11,530. In a survey embracing institutions which enroll 81 per cent of total college enrollments, Dr. Bokelman found that presidents' yearly salaries range from "nominall" to $45,000 at one private institution. The average faculty salary in undergraduate colleges is $6,440. Deans of graduate school average $11,330 in public institutions, and $9,880 in private colleges and universities.

At the conference dinner tonight Max Lerner, Professor of American Civilization at Brandeis University and columnist for "The New York Post," said that "we must find some ways of releasing the motivations in our young people to study and learn and think for themselves, other than the current slogan of 'What's in it for me?' "

14 1958

NEA Asks Billions In Federal Aid To Schools

Says Education Needs Support

WASHINGTON, D. C. — A broad, long range four and a halt billion dollar program of federal support for public schools is urged by the National Education Association (NEA), as the main plank in its 1958 legislative proposals for consideration by Congress.

"Schools have been starved too long," NEA executive secretary William G. Carr said, speaking for the 703,000 - member association. "The public schools are trying to defend our way of government and advance the well-being of the nation, yet many people don't want to give education the necessary financial help."

Carr spoke at a press conference at which the NEA's Legislative Commission presented the professional organization's legislative program for the second session of the 85th Congress. Commission chairman is Irving F. Pearson, executive secretary of the Commission which met with representatives from 46 states in Chicago last week to work out the new proposals.

In stepping up its basic approach to the problem of financing public education, the Commission said a massive rogram of federal financial support has become a national necessity in light of present world conditions. McCaskill said:

"Schools now need continuing federal support. Teachers of America have a responsibility to tell people the truth about the needs of our schools."

The new long range program of almost five billion dollars contrasts with the 300 million dollar federal aid bill the NEA supported last year.

ACTION PROGRAM

The Commission's report, which translates NEA policy into an action program, urged "an infusion of federal funds for basic support of elementary and secondary education," and said that federal funds should be appropriated to the states for distribution locally either for school construction or for supplementing teacher salaries without regard for subject matter taught.

Beginning federal contributions of not less than $25 per school age child were urged with a steady increase to at least $100 a child in five years. The current average overall expenditure per school age child in the nation is $332. McCaskill pointed out that districts which have expended strong local efforts in construction in recent years could probably use larger proportions of these funds to raise salaries.

The new program also urged 20,000 undergraduate scholarships the first year, growing to 80,000 in four years and 5,000 graduate fellowships which would be increased to 15,000 after three years. This broad plan which chould begin quickly at all levels, would cost about 40 million dollars, rising to 160 million annually.

The Commission also urged strengthening all aspects of the various state departments of education. "This will be one more assurance that the instructional program can't be dictated to states and communities from any higher level," McCaskill said.

Continued support of the King-Jenkins Bill to provide tax equity for teachers was also urged. "There has always been an inequity in the treatment of teachers' income taxes," McCaskill said. "Teachers are spending money to become better teachers. These educational expenses should be deductible from gross taxable income. Most teachers now cannot deduct these expenses and this is unjust. And whereas improved educational standards were a need before, they now are a necessity."

The report also requested continuation of federal assistance "for such well-established and clearly useful programs as vocational education, library services, school lunches, and aid to federally-affected areas. No consideration should be given to reduction or termniation of these programs until it can be demonstrated that the need can be met from other resources."

EXPENSES SOAR

In pointing up the need for increased financial support, McCaskill said:

"The White House Conference on Education and the President's Committee on Education Beyond the High school point out that within 15 years educational expenditures must be increased at least 75 per cent, just to stay where we are now. The number of teachers with emergency certificates and the number of children on half-day sessions are not going down. We know that enrollments are going to continue to grow."

Carr added, "This legislative program is the minimum safe level of federal action, provided that it is accompanied by steady and normal growth in state and local school revenues."

The new proposals urge "matching requirements and other measures to stimulate state and local effort" which would allow states sufficient time to increase their own spending for education.

On this point Carr emphasized, "The best evidence that local communities cannot handle the complete job of educational finance in the future is that despite valiant efforts they haven't done so over the years.

"The American economy is a ric hand powerful instrument which operates at a higher level each year with evidence that it will continue to grow steadily. But changes in the economy have left schools dependent upon an outmoded tax structure."

The report said, "With one half of our public elementary and secondary school revenue tied to local property taxes, there is little hope that local governments can double their contributions to education."

Dr. Carr said:

"In one phase of government after another we have recognized that federal funds are needed. Better schools are necessary for survival. The American people own the schools, and they must tell their representatives whether they wish to deal firmly with the accumulated educational crisis now or whether they wish to allow the level of American education to continue to deteriorate."

SCHOLARSHIPS

The new legislative program recognizes the need for increased scientific training but insists that scholarships be awarded for students to attend institutions of their own choice and to pursue courses of study that meet their career goals.

McCaskill said the scholarship program should not be based on a single national test. He pointed out:

"Federal testing would inevitably slant the curriculum and decide what will be taught. There is grave danger in placing too much emphasis on one test score, and it is far better and fairer to have stronger local guidance and testing programs that use national tests. Scholarships should not be restricted to certain subject areas because manpower needs shift, and the nation needs full utilization of everyone's abilities."

McCaskill added, "There is no question that communities, wherever possible, should and will strongly re-examine their school curricula in order to encourage higher standards."

When asked what would happen if substantial support for education is not given by Congress, Carr said:

"More of our schools will continue to have many half-day sessions, many of our best brains will never attend college, crowded classrooms will handicap the work of even our best teachers, and we will have a nationwide school system not good enough for the United States in 1958. From here on, it's up to the American people."

Defender P.20

Jan 14 58

Chicago Ill.

NO FUNDS FOR BUILDING...

Advertiser Montgomery, Ala.

Ike Offers Emergency School Program

Tues. 1-28-58

WASHINGTON, Jan. 27 (AP) — President Eisenhower today gave Congress his plan for a four-year crash program of federal aid to education. He asked prompt enactment in the essential interest of national security.

P. 1

The science - slanted blueprint, designed to spur U.S. technology in its race against the Soviet Union would cost about $1,600,000,000 spread over the next four years. The federal government would pick up a billion dollars of the bill, states and local communities the remainder.

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Three times the President referred to the emergency situation. He told Congress at one point: "This is a temporary program and should not be considered as a permanent federal responsibility."

ANNOUNCED LAST MONTH

Eisenhower's plan was first announced in detail last Dec. 30 by Marion B. Folsom, secretary of health, education and welfare. Basically it calls for federal aid to the various states for strengthening the teaching of science and mathematics, and federal scholarships to bright students.

"Our immediate national security aims—to continue to strengthen our armed forces and improve the weapons at their command—can be furthered," Eisenhower said, "Only by the efforts of individuals whose training is already far advanced. But if we are to maintain our position of leadership, we must see to it that today's young people are prepared to contribute the maximum to our future progress.

"Because of the growing importance of science and technology, we must necessarily give special—but by no means exclusive—attention to education in science and engineering."

Republicans on Capitol Hill praised the program as "very heartening," "effective." and "sound and sensible." But there were indications, too, that the plan might be in for rough sledding.

Sen. Kennedy (D - Mass) had criticized it earlier for failure to include anything for school construction. Kennedy said he would introduce legislation calling for federal expenditure of about 300 million dollars a year for five years to relieve the schoolroom shortage.

NOT MENTIONED

Eisenhower made no mention of federal aid for school construction, a plan that has died in the House twice in the last two years. In his budget message to Congress earlier this month, he said that under present conditions he would not ask funds for school construction this year but instead would recommend a broad temporary program which is largely science-oriented.

Eisenhower did not spell out the cost of the various aspects of his program. In an earlier budget message, however, he asked 145½ million dollars for the office of education's part in the first year of the program. He also requested 79 million dollars for the National Science Foundation to promote science training.

P. 2-A

The 145½ million would be used to finance 10,000 federal scholarships and 1,000 or more graduate fellowships a year for four years and grants to the states for the selection, guidance and training of outstanding students.

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College Enrollment Sets New Record; Increases Predicted

World B'ham Ala.

Wed. 1-1-58

P. 1

WASHINGTON — (INS) — The U. S. Office of Education reported Friday that enrollment in the nation's colleges set a new record in 1957 for the sixth consecutive year and will climb substantially in 1958.

The report showed that 3,068,000 students were enrolled in 1,890 colleges and universites early last fall, an increase of 4.1 perecent from the 2,947,000 enrolled in the fall of 1956.

1/4

U. S. Education Commission Lawrence G. Derthick said that during the remainder of the school year, college and university enrollments are expected to climb to a new high of about 3,460,000.

Projecting his forecast into the future, Derthick predicts that the number of young people seeking enrollment in colleges will double in the next decade.

The report disclosed that these institutions led the nation in enrollment in 1957.

University of Minnesota, 35,852 University of New York, 29,883; City College of New York, 28,181; Columbus University, 26,787; University of Michigan, 26,370; University of Illinois, 25,920; University of Wisconsin, 24,873; and Ohio State University, 22,611.

Morse Accused Of Disgraceful Conduct In School Aid Spat

Post Herald

WASHINGTON, Feb. 6 (AP)—Sen. Allott (R., Colo.) fired a charge of disgraceful conduct at Sen. Morse (D., Ore.) today in an argument over aid to education.

B'ham, Ala.

The argument took place in the Senate Education Committee where Secretary of Welfare Folsom presented President Eisenhower's four-year, $1,200,000,000 school program.

Fri. 2-7-58

Morse called the program completely inadequate, and said he was "shocked that the administration doesn't know what the needs are."

P. 2

He said one scientist had told him that the United States has lost "a whole generation of students" because of lack of school facilities, and demanded to know:

"Why doesn't the President ask Congress to measure up to this situation?"

Allott thereupon accused Morse of using the committee hearings for "petty partisan politics." He said he considered it a "disgrace to use this committee as a forum" for such a purpose.

1/4

"I'm very shocked and sorry to hear the speech of the Senator from Oregon," Allott said.

The administration bill provides, among other things, for 10,000 scholarships a year for exceptionally able high school graduates and $605 million in federal funds to strengthen the teaching of science and mathematics in public schools.

Chairman Hill (D., Ala.) is pushing a bill to provide four times as many scholarships. Indications point to a committee bill calling for much higher spending than the president asked.

Under questioning, Folsom said the Eisenhower administration has deferred, but not abandoned, its proposals for aid to school construction.

Sen. McNamara (D., Mich.) argued that the country needs more school buildings. Folsom pointed out that the House had [illegible] to go along with a con[illegible] program.

[illegible]so today, the Chamber of Commerce of the United States came out against the Folsom plan for scholarships and education grants to states, and in favor of the world of the National Science Foundation in financing teacher training and research fellowships.

Eisenhower asked in his budget message for a total of $140 million for the National Science Foundation, of which $79 million would be included in the over-all four year program of aid.

14 1958

Ike's Brother Advances New Education Plan

14

News [illegible] P. 1

Thur 2-5-58

Charleston S.C.

BALTIMORE, Md., Feb. 5 (AP)—A top educator—Dr. Milton Eisenhower, a brother of President Eisenhower—today advanced a new education program to combat what he called a tendency toward decreased quality, if not mediocrity, in the nation's secondary school system.

Dr. Eisenhower, president of the Johns Hopkins University, offered his suggestions in a speech before the Baltimore Advertising Club. He received the club's annual award as "Man of the Year."

ASKS CUTBACK

In effect, he called for a cutback in the types of courses offered, more concentration on the basic studies, more school work for Johnny and Mary, and higher pay for teachers.

"My own view," Dr. Eisenhower said, "is that our secondary schools, in response to public pressures, have tended to proliferate themselves into decreased quality, it not mediocrity, on the average.

NO SUBSTITUTE

"Our secondary schools now offer choices in several hundred different subjects, many of them vocational. There is no substitute, in preparatory education, for rigorous study of such fundamentals as mathematics, English, a foreign language, science, history and social studies."

"I would remove," he added, "all peripheral subjects from preparatory curriculums, and concentrate them in a 13th high school year for those who want terminal vocational education."

Dr. Eisenhower said he also would increase the academic load of all students.

Engineering Studies, Rising Costs Modify Ports Program

14

News Courier

P 14

Mon. 2-17-58

Charleston S.C.

Detailed engineering studies and sharply spiraling construction costs have wrought modifications in the S. C. State Ports Authority's multi-million-dollar construction program.

Construction already is under way at three port sites. Plans are in the works for major improvements at two other state ports areas.

Despite rapidly rising construction costs in the last two years, Authority Chairman Cotesworth P. Means said the ports board is carrying out the essential recommendations of a board building program outlined in 1956.

"In the light of detailed engineering studies," he added, "certain modifications have been made in order to produce maximum efficiency and economy of operation."

He was referring to engineer-recommended alterations made within the framework of a construction outline produced two years ago by a team of New York consultants.

"In several instances," Means explained, "we are using heavier materials which will result in increased longevity for our ports facilities."

Two private engineering firms, Lockwood Greene and Palmer and Baker, have translated the consultants' outline into specific projects.

Work is under way on sweeping additions to facilities at the North Charleston terminals and Columbus Street docks here.

A $1,500,000 dock and warehouse has begun to take shape at Port Royal near Beaufort, and an identical project has been approved for Georgetown.

Under plans approved by the seven-member Ports Authority, the construction program is being handled in two separate phases. Contemplated under an initial outlay of $19-million are:

NORTH CHARLESTON: A bulk dock with gantry tracks, two 50-ton stiff-legged gantry cranes, and 40,000 square feet of additional transit shed and warehouse space.

COLUMBUS STREET: A new banana pier, four general cargo berths with gantry tracks, 375,000 square feet of transit shed space, and improvements to trackage, roads and utilities.

UNION PIER: Construction of a new concrete dock apron, refurbishing transit shed area and replacement of track well.

GEORGETOWN AND PORT ROYAL: Construction of 500-foot berths and 64,000 square feet of transit shed space.

The initial building stage does not include 135,000 square feet of warehouse space originally recommended at Columbus Street and 16,000 additional square feet of warehousing outlined for North Charleston.

Means said the authority will hold $2 million of its $21 million bond issue in reserve.

"As we attract new business with improved facilities, our needs may change," he explained. "Therefore, we are saving back some money to be used for further expansions in the light of developing business demands."

The authority chairman commended the engineers for "doing a remarkable planning job in the face of tremendous increases in construction costs and the price of steel."

He pointed out that the national construction index has leaped 33 points since Cresap, McCormick and Padget first delivered its broad construction plan more than two years ago.

"This is the equivalent of a six per cent boost in construction costs," he explained and added: "The increase has had the practical effect of eliminating a million dollars from our construction fund.

"Considering these odds," he said, "I believe our engineers and construction planners have done a magnificent job."

Secondary School Principals Urge Math, Science Starting at 7th Grade

Times P12

Tue. 2-18-58

Jacksonville, Fla.

INDIANAPOLIS, Feb. 17 (AP) — The nation's secondary school principals, bombarded from every side with suggestions on how to improve their teaching of science and mathematics, came up today with some revolutionary proposals of their own.

They suggested:

Both subjects should be required courses all the way from the 7th through the 12th grade for those students capable of handling them:

Advance courses, including some now taught only in college, should be made available to the especially gifted students, regardless of how few of them there might be in a school;

The talented pupils should be identified not later than the 7th grade, and should be encouraged to continue with advanced courses through high school and into college;

Local school systems should shoulder all or part of the cost of retraining their science and math teachers in the latest developments in their fields; and

For students of limited ability there should be special one-year courses in grades 10, 11 or 12. The math course would be general in nature. The science course would deal with the role of science in the world today.

These minimum recommendations were presented by a special 18-man committee of the National Assn. of Secondary School Principals, meeting in convention here. After two days of discussion in five and six-man study groups, the principals will summarize their findings Wednesday and carry them back to their local or state school boards.

FEDERAL SHARING ON SCHOOLS URGED

Senate Committee Is Told U.S. Has Responsibility to Support Education

Times P17

By BESS FURMAN

Special to The New York Times.

New York N.Y.

14

Thurs 2-20

WASHINGTON, Feb. 19 — The Council of Chief State School Officers urged today outright Federal sharing in the costs of supporting the nation's schools.

A. John Holden of Vermont, president of the council, told the Senate Labor and Public Welfare committee that financing the nation's education program was a joint local, state and Federal responsibility.

He set forth these principles of Federal responsibility:

¶Federal funds should be made available to the states to the extent necessary to provide an adequate education program after reasonable state and local efforts have been made.

¶The Federal Government should provide financial assistance and consultative services to help the states in the planning and construction of public school plants.

¶The Federal Government should assist the states in financing state, interstate and regional educational projects.

Sees Inequity

Edgar Fuller, executive secretary of the council, told the committee that for many years states had been able to get help by matching dollars with the Federal Government for roads and hospitals. But there were no such incentives for an even more important public service, schools, he declared.

Senator H. Alexander Smith, Republican of New Jersey, interpolated that he wanted the record to show he was against any such penalizing of the schools.

Dr. Fuller congratulated the Administration on its bill for a four-year $1,000,000,000 Federal education program stressing science. He also congratulated Senator Lister Hill, Democrat of Alabama, on his bill for a six-year, $3,000,000,000 science-aid program.

He also cited a newly introduced general education aid bill as "thoroughly in line with the policies of the council."

No Matching Required

This bill, drafted by the National Education Association, was introduced in the House yesterday by Representative Lee Metcalf, Democrat of Montana, and in the Senate today by Democratic Senator James E. Murray of the same state.

It would provide $1,000,000,000 the first year in general education funds for the states, increasing by somewhat over a billion dollars each year to $4,500,000,000 the fourth year. The money could be used for teachers' salaries or school construction, as the states decided. No matching funds by the states would be required.

Mr. Fuller said this bill "assumes that there is a responsibility in the Federal Government to share in meeting the costs of education."

The House General Education subcommittee, headed by Representative Cleveland M. Bailey, Democrat of West Virginia, voted as expected today to extend to June 30, 1961, two laws providing Federal school construction and operating funds to areas with large Federal installations. The Administration had proposed the termination of these programs.

14

Larger proportion of colored youth in school

Afro-American

P. 15

Baltimore, Md.

Sat. 2-22-58

WASHINGTON, D.C. (NNPA) —At primary and secondary ed- proportion of ~~nonwhite~~ than proportion of nonwhites than white students were in public schools, according to the results of a survey conducted by the Census Bureau.

Among kindergarten and elementary school students, 96 per cent of the nonwhites as compared with 83 per cent of the whites were in publicly controlled schools, the survey showed.

At the high school level, the proportion of nonwhite pupils in public schools was 98 per cent, while that for whites was 80 per cent.

* * *

AMONG COLLEGE students, however, the Census Bureau reported, roughly the same percentage of white and nonwhite persons were in public and private institutions.

Enrollment rates for ages 7 to 13, which are in the compulsory school age range in most of the states, were high for both white and nonwhite children (99.7 per cent and 98.2 per cent).

In the 14-to-17 age bracket, the rate for white youths was somewhat higher (90.1 per cent) than that for nonwhite youths (84.8 per cent); but the differences between corresponding percentages for white and nonwhite children have narrowed considerably over the past several years, the Census Bureau said.

Daily World Atlanta, Ga. Tues. 2-25-58

P. 1

14

"Letting The Teacher Teach" Is Program Urged By Folsom

By JACK ESTELL

ST. LOUIS (INS) — Marion B. Folsom, U. S. Secretary of Health, Education and Welfare, asserted Saturday that school teachers too often are "considered errand boys or workhorses for all kinds of community activities."

Folsom urged "letting the teacher teach" and said: 'Our society should not press upon our schools and teachers a variety of functions that belong in the home or the church or in some other community agency."

Folsom spoke to a regional convention of the American Association of School Administrators in St. Louis where he was awarded a golden key for his "significant contribution' 'to the national welfare.

The secretary said that finding fault with schools is a popular national pastime and declared the good schools today are better than those of yesterday and as good as any in the world. He added:

"We must find ways and means of bringing more schools up to the level of the best. This will not be accomplished by blanket criticism of schools or teachers or profesional educators . . .

"We will not be fully ready to strengthen the weak spots of American education until the American people acknowledge the hardest fact of all— that their own neglect has contributed in part to our current educational shortcomings."

Folsom called lack of pay for teachers and lack of public respect for teaching as the "core' of educational difficulties in the U. S.

He added that a "larger proportion of our national resources — dollars, time, attention and efforts —must be devoted to education if we are to have the kinds of educated people we need in the numbers we need."

Earlier, the convention heard resolutions assailing the administration's program for federally subsidized college scholarships as "wholly inadequate."

EDUCATOR OPPOSES U. S. SCHOLARSHIPS

Times

New York

Thurs. 2-27-58

14

Says State Colleges Prefer Direct Federal Help for Salaries and Buildings

By BESS FURMAN

Special to The New York Times.

WASHINGTON, Feb. 26—A spokesman for the publicly supported colleges and universities of the United States opposed today any Federal scholarship program.

The spokesman was John Taylor Caldwell ,president of the University of Arkansas. He told the Senate Labor and Public Welfare Committee that neither the Administration's education-aid, bill, offering a maximum of 40,000 scholarships, nor the Democratic bill, offering a maximum of 160,000 scholarships, would by itself produce any science leaders in the next decade.

He said that he spoke the views of the Association of Land Grant Colleges and State Universities and of the State Universities Association, a separate organization. Institutions affiliated with these two groups grant more than half of the nation's doctoral degrees in science, mathematics and engineering.

The keys to producing such leaders, he said, are adequate faculty salaries and construction of classrooms and baloratories through direct aid to colleges and universities.

Ask Work-Study Plan

He advocated instead a Federal scholarship project a work-study program such as that conducted by the National Youth Administration during the depression of the Ninteen Thirties. He said such a program, in which students were able to work to provide college expenses, had been "extremely successful in most colleges and universities."

He urged that the Federal Government pay the costs of defense programs now in the colleges, such as the Reserve Officers Training program, before increasing the number of students in already crowded classrooms.

In a House hearing on the same bills, however, Dr. Robert F. Goheen, president of Princeton University, urged Federal aid to both colleges and students.

"It will do us no good to increase the number of college students without increasing the colleges' ability to handle them," he pointed out.

Calls For 'Breakthrough

Somehow this nation must find a way to use every resource it can find, Dr. Goheen said, to help the colleges and universities achieve "a real economic breakthrough" to get the faculties and the facilities.

Henry Chauncey, president of the Education Testing Service of Princeton, N. J., strongly urged that talented students be selected early and that they be given scholarships. He said that the spectacular educational advances of the Soviet Union since 1917 had him worried.

"With Russia in the situation, the Federal Government has a responsibility to strengthen education to the utmost as national defense," he said.

Representative Cleveland M. Bailey, Democrat of West Virginia, chairman of one of two House subcommittees hearing testimony on education bills, asked:

"If a group in Russia, to avoid payment of taxes—as the Chamber of Commerce and National Association of Manufacturers—would defeat any effort of the Federal Government to help education by taking advantage of a feeling on the part of many that it was a local matter, would they get sent to Siberia?"

Mr. Chauncey hesitated. Representative Carl Elliott, Democrat of Alabama, chairman of the other subcommittee, spoke up:

"He doesn't feel Russia would have a Chamber of Commerce or an N. A. M."

COLLEGE HEAD HITS FEDERAL SCHOLARSHIPS

Daily Tribune

Chicago Ill.

Mon. 3-10-58

P. 4

BY RICHARD PHILBRICK

Federal scholarships for college students would be "a real handicap to the highest interests of the American people," V. Raymond Edman, president of Wheaton college, said in a letter to President Eisenhower recently.

The letter was made public yesterday.

Edman declared that "federal scholarships will create the illusion that the bounty arises from the federal bureaucracy, and weaken the dependence of parents and children upon God and upon themselves."

Teach "Basic Fact"

Pointing out that the government "only spends the money which we citizens contribute in the form of taxes," he continued, "we at Wheaton find that we have to keep teaching our students this basic truth because of the false impression that has been created to the effect that anybody can get almost anything from Washington."

Edman emphasized his belief that the original responsibility for education should be kept at the local level.

"There is no substitute," he asserted, "for the endeavor of free men to provide education for the children of their own community."

Bureaucracy can build bulging budgets, but not school buildings and public spirit for education," Edman observed.

"Parents Must Sacrifice"

Edman's letter objected to the concept that lack of money keeps many students from attending college. If parents are willing to make sacrifices, he said, their children can achieve the education they desire.

The willingness of parents to sacrifice and suffer hardship to assure their children of every educational opportunity is reflected in the attitude of students toward their studies, Edman suggested.

If parents place a high value on education, their children probably will, too, he said, and if students "lack the inner urge to prepare themselves thoroly for life, no amount of outward advantages and encouragement can help them."

Mrs. Newman Named 'Teacher of Year'

Advertiser P. 4

Wed. 3-26-58

Montgomery Ala.

TUSKEGEE, Ala. — Mrs. Ruth L. O. Newman, teacher of mathematics at Lee County Training School, Auburn, has been elected "Teacher of the Year" for Lee County for the second consecutive year.

The "Teacher of the Year" project is sponsored by the Alabama State Teacher Association to recognize and encourage superior teaching through selection of a "Teacher of the Year" for each city, or county, then district and finally state.

Mrs. Newman is the wife of the Rev. T. R. Newman, presiding elder of the Opelika District, AME Church, and the mother of Theodore R. Newman Jr., who is a senior at Harvard Law School Cambridge.

14 1958

1958 NEA Legislative Proposals Urge Long Range Federal Support of Schools

Black Dispatch Oklahoma City, Okla.

14

Fri 1-3-58

WASHINGTON.—A broad, long range four and a half billion dollar program of federal support for public schools is urged by the National Education Association (NEA), as the main plank in its 1958 legislative proposals for consideration by Congress.

"Schools have been starved too long," NEA Executive Secretary William G. Carr said, speaking for the 703,000-member association. "The public schools are trying to defend our way of government and advance the well-being of the nation, yet many people don't want to give education the necessary financial help."

Carr spoke at a press conference at which the NEA's Legislative Commission presented the professional organization's legislative program for the second session of the 85th Congress. Commission chairman is Irving F. Pearson, executive secretary of the Illinois Education Association. James L. McCaskill is executive secretary of the Commission which met with representatives from 46 states in Chicago last week to work out the new proposals.

In stepping up its basic approach to the problem of financing public education, the Commission said a massive program of federal financial support has become a national necessity in light of present world conditions. McCaskill said "schools now need continuing federal support. Teachers of America have a responsibility to tell the people the truth about the needs of our schools."

The new long range program of almost five billion dollars contrasts with the 300 million dollar federal aid bill the NEA supported last year.

The Commission's report, which translates NEA policy into an action program, urged "an infusion of federal funds for basic support of elementary and secondary education," and said that federal funds should be appropriated to the states for distribution locally either for school construction or for supplementing teacher salaries without regard for subject matter taught.

Beginning federal contributions of not less than $25 per school age child were urged with a steady increase to at least $100 a child in five years. The current average over-all expenditure per school age child in the nation is $332. McCaskill pointed out that districts which have expended strons local efforts in construction in recent years could probably use larger proportions of these funds to raise salaries.

Urge Scholarship Increase

The new program also urged 20,000 undergraduate scholarships the first year, growing to 80,000 in four years, and 5,000 graduate fellowships which would be increased to 15,000 after three years. This broad plan which could begin quickly at all levels, would cost about 40 million dollars, rising to 160 million annually.

The Commission also urged strengthening all aspects of the various state departments of education. "This will be one more assurance that the instructional program can't be dictated to states and communities from any higher level," McCaskill said.

Continued support of the King-Jenkins Bill to provide tax equity for teachers was also urged. "There has always been an inequity in the treatment of teachers' income taxes," McCaskill sail. "Teachers are spending money to become better teachers. These educational expenses should be deductible from gross taxable income. Most teachers now cannot deduct these expenses and this is unjust. And whereas improved educational standards were a need before, they now are a necessity."

The report also requested continuation of federal assistance "for such well-established and clearly useful programs as vocational education, library services, school lunches, and aid to federally-affected areas. No consideration should be given to reduction or termination of these programs until it can be demonstrated that the need can be met from other resources."

In pointing up the need for increased financial support, McCaskill said, "The White House Conference on Education and the President's Committee on Education Beyond the High School point out that within 15 years educational expenditures must be increased at least 75 per cent, just to stay where we are now. The number of teachers with emergency certificates and the number of children on half-day sessions are not going down. We know that enrollments are going to continue to grow."

Carr added, "This legislative program is the minimum safe level of federal action, provided that it is accompanied by steady and normal growth in state and local school revenues."

The new proposals urge "matching requirements and other measures to stimulate state and local effort" which would allow states sufficient time to increase their own spending for education.

Local Financing Insufficient

On this point Carr emphasized, "The best evidence that local communities cannot handle the complete job of educational finance in the future is that despite valiant efforts they haven't done so over the years. The American economy is a rich and powerful instrument which operates at a higher level each year with evidence that it will continue to grow steadily. But changes in the economy have left schools depeudent upon an outmoded tax structure."

The report said, "With one half of our public elementary and secondary school revenue tied to local property taxes, there is little hope that local governments can double their contributions to education."

Dr. Carr said, "In one phase of government after another we have recognized that federal funds are needed. Better schools are necessary for survival. The American people own the schools, and they must tell their representatives whether they wish to deal firmly with the accumulated educational crisis now or whether they wish to allow the level of American education to continue to deteriorate."

The new legislative program recognizes the need for increased scientific training but insists that scholarships be awarded for students to attend institutions of their own choice and to pursue courses of study that meet their career goals.

McCaskill said the scholarship program should not be based on a single national test. "Federal testing would inevitably slant the curriculum and decide what will be taught. There is grave danger in placing too much emphasis on one test score, and it is far better and fairer to have stronger local guidance and testing programs that use national tests. Scholarships should not be restricted to certain subject areas because manpower needs shift, and the nation needs full utilization of everyone's abilities."

McCaskill added, "There is no question that communities, where-ever possible, should and will strongly re-examine their school curricula in order to encourage higher standards."

When asked what would happen if substantial support for education is not given by Congress Carr said, "More of our schools will continue to have many half-day sessions, many of our best brains will never attend college, crowded classrooms will handicap the work of even our best teachers, and we will have a nationwide school system not good enough for the United States in 1958. From here on, it's up to the American people."

COLUMBIA SPEEDS GRANTING OF PH.D.

Times p25

Chemistry Majors Starting in September to Finish Studies in 6 Years

New York, N.Y.

Columbia College announced yesterday an accelerated course of study under which qualified chemistry majors can get the degrees of Bachelor of Arts and Doctor of Philosophy in six years.

Mon 2-3-58

The new program will begin in September for about twenty-five prospective freshmen who have demonstrated exceptional ability in chemistry and related sciences in high schools and in tests of the College Entrance Examination Board.

The students will be admitted with advanced standing in chemistry and will take 144 points of credit, compared to 126 required of all students for graduation. That will enable the special students to begin research for the doctorate in the senior year and to eliminate lecture courses in graduate school. Thus they will achieve the Ph. D. in four years of college study and two years of graduate work.

Graduate Study Period

Dr. Ralph S. Halford, professor of chemistry in the college, said most chemistry students required almost four years of graduate work for the Ph. D., with some needing as many as seven years. With rare exceptions, he added, the minimum in recent times at Columbia has been three years.

Frank Bowles, president of the College Entrance Examination Board, said:

"The plan is one of the most daring and imaginative proposals I've heard of in a long time. The thing that I like about it is that it doesn't pose any threat to standards. It rather accentuates them and fortifies the entire concept of quality education."

College officials emphasized that the program would not neglect the humanities and social studies. In addition to language courses and twenty-eight points of Contemporary Civilization and Humanities, all of which are required, electives in non scientific fields will be prescribed.

Purpose of Program

Lawrence H. Chamberlain, dean of the college, said the program would be an attempt to alleviate the nation's shortage of research scientists and also to provide scientists who had a liberal arts background.

The program is believed to be in part an answer to the recently published Macmahon Committee Report on the Educational Future of Columbia University. The Committee proposed a new undergraduate college oriented for science majors. It was critical of the present undergraduate program in science. However, college officials denied the need for a new college and defended the present science curriculum.

Columbia College is now granting as much as six points of academic credit toward the B. A. degree for work done in high school. Thirty of the 660 members of the freshman class have received the six points.

Prospective applicants for the special program in chemistry at Columbia should address their applications to Bernard P. Ireland, Associate Director of Admissions, 105 Low Memorial Library.

City Pupils' Interest in Science Up

Herald Tribune
New York N.Y.
Wed. 1-8-58
P12

Jansen Reports Five-Year Gain

A progressively greater student interest in science and mathematics has been manifest in the city high schools for the last five years, Superintendent of Schools William Jansen said yesterday upon issuing a report of the High School Division of the public schools.

Since 1952, the report showed, there has been a significant increase in the number of pupils electing science and mathematics study. While the total enrollment for that period in the tenth, eleventh and twelfth years increased 14.7 per cent the report stated, mathematics enrollments in elective courses increased 42.7 per cent and elective science enrollments 25.4 per cent.

14

Aptitudes Discovered

Dr. Jansen added that the general public criticism since the Russian satellite launchings concerning the decrease in the teaching of science and mathematics in the nation's high high schools does not apply in those of New York City. He said:

"The gradual and continuous growth in the science and mathematics program is the result of the combined efforts of guidance counselors, science and mathematics teachers and supervisors, curriculum experts and interested lay persons and organizations. Together, these forces have helped to discover aptitudes, improve teaching and interpret the scientific needs of our age to a growing number of students."

The report showed furthe inreases in science and mathematics among able pupils in the higher years. The combined eleventh and twelfth-year enrollment increased 5.5 per cent in the five years covered enrollment in the physical sciences increased 25.4 per cent and in advanced mathematics 46.1 per cent. In 1957, advanced mathematics was pursued by 80.10 per cent of twelfth-year students.

Eisenhower's Brother Asks Concentrated Educational Program

Courier Journal P-3
14
Thurs. 2-6-58
Louisville, Ky.

Baltimore, Feb. 5 (AP)—Dr. Milton S. Eisenhower, president of Johns Hopkins University, Wednesday advanced a new educational program to combat what he called a tendency toward decreased quality, "if not mediocrity," in the nation's secondary-school system.

Dr. Eisenhower, a brother of the President, offered his suggestions in a speech before the Baltimore Advertising Club, which gave him its annual award as "Man of The Year."

In effect he called for a cutback in the types of courses offered, more concentration on the basic studies, more school work for Johnny and Mary, and higher pay for teachers.

"My own view," he said, "is that our secondary schools, in response to public pressures, have tended to proliferate themselves into decreased quality, if not mediocrity, on the average.

"Our secondary schools now offer choices in several hundred different subjects, many of them vocational. There is no substitute, in preparatory education, for rigorous study of such fundamentals as mathematics, English, a foreign language, science, history, and social studies.

"I would remove all peripheral subjects from preparatory curriculums and concentrate them in a 13th high-school year for those who want terminal vocational education."

Dr. Eisenhower said he also would increase the academic load of all students.

"We are too casual about education," he said. "This is primarily the reason why European students achieve scholastically in 10 years what ours do in 12—and it happens that most students do better work with a heavy load than with a light one. . . .

"The real reason that most of the 200,000 of our most talented young people are not going to college at all is that they have been bored to death, and have developed slovenly thinking and learning habits."

He called the national average salary of $4,520 for teachers "simply not enough."

"We have been downright penurious with our teachers," he said. "For some reason we have expected them to subsidize our children's education through the acceptance of substandard salaries."

More attractive salaries are vital in the more advanced educational field as well, he added. "The average American professor today gets a little less than the railroad engineer. America can do better than this."

Scientist Urges 30 Billion for Education

Washington, Feb. 5 (AP)—Dr. Harold S. Urey, Nobel Prize-winning chemist of the University of Chicago, Wednesday called for the United States to double its expenditures for education—to a total of 30 billion dollars.

Urey proposed this as a means of developing more scientists in the technological competition with Russia.

But he stressed in testimony before a Congressional subcommittee that there should be not only emphasis on developing scientists," but intellectuals of all varieties."

Declaring that Russia "in the past 40 years has put an enormous effort into the development of its educational system," Urey asserted that "during the same time the United States has progressively neglected its public-school system."

Urey told the subcommittee on research and development of the Senate-House Atomic Energy Committee that adding "15 billion dollars" to annual educational outlays by U. S., State, and local governments constituted one major means of getting the type of education he said was needed.

Lesson for Congress

A Comment on Debate Over Education Shortcomings Confronting the Country

By JAMES RESTON

Special to The New York Times.

Times P. 13
Tue. 2-4-58
New York N.Y.
14

WASHINGTON, Feb. 3—The Congress may or may not vote the necessary funds for school construction and scholarships this year, but at least it will not be able to say that it has not had an education on the state of the nation's education.

A News Analysis Article

Seldom has a debate started on Capitol Hill, as the education debate started today, with a more impressive or alarming set of facts on the record. Among them are the following:

¶Of the 2,800,000 juniors and seniors in the nation's public high schools last year, only 830,000 were studying science and only 659,000 studying mathematics.

¶In 1890, one out of every five high school students studied physics in the United States; today the figure is one in twenty-two. In the last decade of the last century, more than half of the public high school students studied algebra; now it is less than one-fourth and the study of chemistry has fallen off 30 per cent.

¶Since 1950, the number of qualified high school science teachers has dropped 53 per cent while the high school population of the nation has gone up more than 16 per cent.

¶Sixty per cent of the best students graduating from public high schools today do not go to college, a loss of about 250,000 students each year. And nearly half of those who do go to college do not finish the course.

¶At the present time, as the Secretary of Health Education and Welfare, Marion B. Folsom, pointed out today, about 100,000 high school seniors are attending public schools where no advanced mathematics is taught, and 61,000 are in schools that provide instruction in neither physics nor chemistry.

¶Last year fourteen states did not require a single course in science or mathematics for high school graduation.

¶Elementary school enrollment has risen from 20.000.000 in the Nineteen Forties to around 30,000,000 today, and is expected to reach 34,000,000 in 1960. By 1970 high school enrollment will have increased by nearly 5,000,000 to 12,000,000, and by this same period college enrollments will have risen from 2,000,000 to 3,000,000 to 5,000,000 to 7,000,000.

¶Even to keep pace with the present unsatisfactory pupil-teacher ratio the public elementary and high school faculties will have to enlarge their teaching staffs by 500,000 in the next decade. And to achieve that net increase three times that number will have to be added to take care of those teachers who leave to get married, to retire or to take better-paid nonteaching jobs.

¶Rear Admiral Hyman G. Rickover has pointed out that the amount of money spent for advertising in 1951 amounted to $199 per family, while the amount spent for primary and secondary education was only $152 per family.

"It may amuse you to know," Admiral Rickover added, "that the United States home permanent wave industry budgeted for research into ways of improving the looks of human hair a sum amounting to 2 cents per United States female capita. The whole nation, meanwhile, was spending only 3 cents per capita for research into the distressing things that go on inside the human head."

Makes an Impression

It was obvious in the House Education and Labor Committee today that the factual indictment of American education had made an impression on many members. The main criticism of Secretary Folsom's scholarship program was not that he was asking too much but that he was asking too little.

In the Senate, however, Senator Jacob K. Javits, Republican of New York, linked the education issue with the racial segregation issue, and this, of course, is what has killed the school construction legislation of the last tw sessions.

The Administration had tried to minimize the question by emphasizing not school construction but scholarships, particularly in the field of science and engineering. Mr. Folsom's appeal was to national security, but Senator Javits moved the debate back to the ground of school construction and civil liberties.

The bill he introduced would deny Federal funds to any state or locality in direct defiance of the laws under the Fourteenth Amendment or the courts. While many legislators here agree with his civil rights objectives, they fear that this issue, if pressed, will neither assure civil liberties nor school construction.

Taking a Hard Look

The hard and appalling facts of the slackness of public school education, however, and the fear of the Soviet Union's rigorous scientific training may in the end overwhelm the emotional regional argument over segregation. The Congress is taking a hard look at the content of American education for the first time in many years. It is more impressed by the inadequacies in the classroom than by the shortage of classrooms, and it is in a mood to do something about it.

There is an interesting irony in all this. For the peoples of the Soviet Union, who were regarded here as illiterate two generations ago, are forcing the American people to take an inward look at their education and encouraging an Administration that is not distinguished for intellectual excellence tto concentrate on corrective measures.

The main question at the start of the debate is whether the national interest will take precedent over regional prejudice. Despite Senator Javit's speech today, the general impression is that it will.

14 1958

BOARD OF HIGHER EDUCATION

DR. RALPH J. BUNCHE

A FINE APPOINTMENT

Times P 24

New York

Fri 3-14-58

14

New York and its municipal colleges are fortunate indeed in the appointment of Dr. Ralph J. Bunche Under Secretary of the United Nations, to the Board of Higher Education. Mayor Wagner has strengthened a board that has always within our memory, needed strengthening with the choice of this distinguished educator, diplomat and Nobel Peace Prize winner. It is a pleasure to welcome Dr. Bunche to the service of New York City, to which we know he will make a fine contribution.

A second appointment by the Mayor brings another educator, and lawyer, to the board in Prof. Edward D. Re of St. John's University Law School. These new members join the board at a time when, to the continuing problems of City, Hunter, Queens, Brooklyn and the community colleges, are added the current problems of choosing wisely a first chancellor for the college system and the necessity for expansion which confronts all our institutions of higher learning.

Brown Cites Health In Resignation

Defender
Chicago Ill.
Sat 3-8-58
P 3

Another Negro to replace Atty. Sydney Brown will be named to the Chicago Board of Education, Mayor Daley indicated Wednesday. Vice president of the board, Mr. Brown gave reasons of health for his unexpected resignation earlier this week.

"Negroes comprise a prominent part of our community — Chicago — and should have representation on the Board of Education," Daley told a press conference. However, the mayor repeated a campaign pledge when he defeated former Mayor Kennelly "to select public school board members among nominations (submitted to him by a School Board Nominations Commission."

Daley said of Brown: "I regret very much that ill health caused his resignation. He was able and will be missed."

To fit the present situation into that pledge. Mayor Daley said that letters will go out from his office this week to universities and colleges in the Chicago area as well as to Parent-Teacher associations, American Legion posts, the Association of Commerce, civic organizations as well as labor and medical groups.

SET DATE

"Each group," he said, "will be asked to send a representative to a luncheon meeting on a date between March 1 and March 15. At that time the newly named reprsentatives will elect a chairman to preside at future deliberations of the commission."

Meanwhile, a wide scramble for the post left vacated by Brown was noted among prominent South Siders with such names being mentioned as Dr. Allison Davis, University of Chicago professor; James Stamps, Social Security administrator, and the Rev. Archibald J. Carey jr. leading the list.

The unsalaried post has long been a target of Negro educators, socialites, business and professional men and women. But the record shows that only two Negroes, prior to Sydney Brown, ever held an appointment to the board. They were the legendary John Jones pioneer Negro settler from North Carolina, back in 1848 for whom the Jones Business School was named, and the late Dr. Midian O. Bousefield.

NAME LEADERS

Other possibilities from whom Mayor Daley could make an outstanding choice include Dr. St. Clair Drake, Roosevelt University faculty member: Dr. Arthur G. Falls, prominent Catholic layman, a member of the Catholic Interracial Council and other community and civic organizations; and Mrs. Charlemae Rollins, children's librarian at the George Cleveland Hall Branch of the Chicago public library and an instructor in children's literature at Roosevelt University and Henry McGee, postal branch manager.

Meanwhile, the Board of Education Wednesday agreed to honor Brown with a testimonial dinner or banquet.

His present term would have expired on April 30, 1959.

During the meeting, Board member Joseph R. Pois suggested that the board hold its meetings in various high schools, traveling a district circuit and inviting representatives from the community to attend.

This, he said, would strengthen the relations between the school board and the community. Board member Ray Pasncik supported this theory.

The suggestion was deferred until the next board meeting March 11.

MAYOR WANTS NEGRO SCHOOL BOARD MEMBER

Daily Tribune
Chicago Ill.
Wed. 2-26-58
P 7

Mayor Daley made it clear yesterday that he wants another Negro to replace Sydney P. Brown on the board of education. Brown, who has submitted his resignation because of ill health, is vice president of the board and the only Negro among the 11 members.

Daley also disclosed that his office was preparing telegrams to 18 educational, labor, civic, business, and professional organizations asking them to designate a representative on a new school board nominating committee. He said the committee will meet between March 1 and 15, and will be asked to nominate three candidates for each of the four places on the board.

"Should Be Represented"

Asked if he was seeking a Negro to replace Brown, Daley said:

"We are striving to get the most able men and women to serve. I'm sure the committee will have this in mind. I think they'll have in mind, too, that there should be Negro representation on the school board. Negro people are a prominent part of our community."

Daley refused to comment on individual Negro leaders who have been suggested as possibilities, saying that a number were qualified for board membership.

Three Terms Expiring

The three other vacancies will occur April 30 at the expiration of the erms of Thomas J. Haggerty, official of local 753, Milk Wagon Drivers union; Thomas L. Marshall, attorney, and Frank M. Whiston, real estate man. Daley has indicated that he would reappoint all three if the committee nominates them. Each has agreed to submission of his name to the committee for consideration.

The nominating procedure is for Daley to be host to the committee for lunch, then leave. The committee picks a chairman and proceeds to consider various names submitted to Daley or directly to the committee.

Mrs. Green Named For School Post

Defender
Chicago Ill.
Sat. 5-3-58
P 3

Mrs. Lorraine R. Green, the wife of Judge Green, was one of four persons nominated for appointment by Mayor Richard Daley Thursday to the Board of Education.

The city council referred the four appointments to the committee on schools, a routine step.

Another appointment by Daley, subject to council approval, is Thomas J. Murray, business representative of Local 134, International Electric Workers

REAPPOINTS TWO

The mayor also reappointed school trustees Thomas L. Marshall, and Frank M. Whiston. The appointments of Murray and Mrs. Green fill the vancancies of Sidney P. Brown and Thomas Haggerty.

Mrs. Green, who resides at 5333 S. Maryland ave., is a member of the Commission on Human Relations, the Advisory Committee of the Chief Justice of the Municipal Court and the Board of Directors of the Citizens of Greater Chicago.

If her appointment is approved, she will be the second woman on the school board. The other is Mrs. John Allen.

Mrs. Green served for two years as chairman of the Department of Education and Recreation of the Welfare Council of Metropolitan Chicago.

She served on the advisory board of the Illinois Training School for Girls and on the advisory committee of the Chicago Board of Health.

For several years she was on the Board of the Chicago Urban League.

NAME MURRAY, MRS. GREEN TO SCHOOL BOARD

14

Mayor Daley Reappoints Whiston, Marshall

Daily Tribune
Fri. 4-25-58
Chicago Ill.

Mrs. Lorraine Green and Thomas J. Murray were appointed members of the board of education yesterday by Mayor Daley. He also reappointed Thomas L. Marshall, attorney, and Frank M. Whiston, real estate broker, to the board.

MRS. WENDELL GREEN

Wife of Judge Green

The apopintments were referred by the city council to its schools committee, where approval is expected at a committee meeting next week.

Mrs. Green, of 5333 Maryland av., is the wife of Judge Wendell E. Green of Family court and is a member of the Chicago Commission on Human relations. She is to replace Sydney P. Brown, whose term is to expire April 30, 1959. Brown resigned recently because of ill health.

Mrs. Green holds master's and doctor's degrees from the University of Chicago, where she served two years as a research assistant in the department of sociology.

She is a member of advisory committee to the board of health and the chief justice of Municipal court and a director of the Citizens of Greater Chicago. She has served in the past as chairman of the department of education and recreation of the Welfare Council of Metropolitan Chicago, on the advisory board of the Illinois State Training School for Girls, and as a board member of the Chicago Urban league.

Union Business Agent

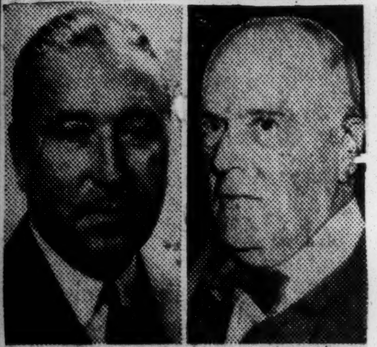
Murray, named to a five year term, is business agent of local 134, Electrical Workers union, and president of the Cook county branch of Labor's League for Political Education. He will replace Thomas J. Hagerty, Milk Wagon Drivers union official who declined to accept reappointment.

Murray of 9130 S. Damen av., has six sons, one of them former Rep. James Murray [D., Ill.]. He has been president 35 years of the Harmony

Club of Chicago and is a member of Christ the King church, Loyal Order of Moose, and Irish Fellowship club. From 1943 to 1953 he was labor member of the board of review, division of placement and unemployment compensation in the state labor department.

The two incumbents also were named to five year terms. Whiston has been a board member 10 years. Marshall was first named in 1953 to fill a vacancy.

Mrs. Green and Murray


Whiston [left] and Marshall

RIOTING IN PARIS CONTINUES 2D DAY

France

Communists and Rightists Dispersed by Troops—City Resembles Armed Camp

18d

By W. GRANGER BLAIR

Special to The New York Times.

PARIS, May 14—Paris had the appearance of an armed camp today as police and rioters clashed for the second time in twenty-four hours.

N.Y. Times

For four miles through the heart of the city along the Seine River from the Place de la Bastille on the east to the Arc de Triomphe on the west thousands of armed members of the security forces were stationed in trucks, cars and on foot to handle disorders. The number of police and riot troops was said to exceed 15,000 men.

p. 3

5-15-58

New York N.Y.

By night there had been two demonstrations, one by Right-wing adherents and the other by Communists. The police frequently clashed with the demonstrators. It was believed that a considerable number of persons had been injured.

Last night oand early today the Government took urgent steps to set up maximum security throughout France. All demonstrations and parades were banned here and in the provinces. Regular air and sea movements between France and Algiers were suspended. All non-official telephone communications to Algeria were forbidden.

Despite the interdiction Rightist and Communist groups called for demonstrations, the former at the Arc de Triomphe and the latter at the Place de la Republique near the Place de la Bastille. Heavy deployments of security forces were swiftly made at both spots.

The Rightists, mostly university students and war veterans, planned a mass call for a government of public safety in Paris to complement that formed last night in Algiers. The Communists planned a counter-demonstration.

Heavy security units along the broad Avenue Champs-Elysées moved in on the right-wing demonstrators, who shouted "Pflimlin resign!," "De Gaulle to power!" and "Massu to power!" They were referring to the new Premier, Pierre Pflimin, to the World War II hero, Gen. Charles de Gaulle, and to Brig. Gen. Jacques Massu, head of the Algiers Committee of Public Safety.

The Rightists, much less numerous than last evening when they unsuccessfully tried to march on Parliament, were easily dispersed. A newspaperman, a photographer and a woman in a sidewalk café were reported injured by security troops in the course of the melee.

Reds More Numerous

The Communists mustered a considerably heavier demonstration in eastern Paris. They shouted "Fascism will not pass!" as they tore up iron fences around the bases of trees to fight the riot police. Most of the day's injuries occurred during the Communist demonstration.

Earlier in the day a Rightist group stormed into the headquarters of a Leftist student organization and did considerable damage.

Two unexploded bombs were found in the Paris suburbs of Cachan and Montreuil. One had been placed in Communist party headquarters in Cachan and the other had been hidden in the offices of the Communist newspaper "Voice of the East in Montreuil.

Two other bombs exploded in Government buildings in southeast France near Bordeaux. No one was injured by the blasts, which occurred in the justice building in Angoulême and in the sub-prefect's headquarters in Dax.

The Tunisian Consulate General in Marseilles reported tonight that a group of demonstrators had broken into and sacked the Consulate building. They were also reported to have struck two members of the Consulate staff. The Tunisian Chargé d'Affaires here was said to have made a strong protest to the French Foreign Ministry.

Crisis Perils Key French Role In NATO and European Unity

Country's Will and Ability to Continue as Fulcrum of Alliances Put in Doubt—de Gaulle Believed Their Foe

Special to The New York Times.

PARIS, May 16—France's grave political troubles are also troubles of the Atlantic alliance and of half a dozen European regional organizations.

18d

By her geographical position, France is the key to the Continent. By tradition, she is the kingpin of any grouping of Western European states.

The headquarters of the high military command and vital communications and supply links of the North Atlantic Treaty Organization are in France. So is the organization for European Economic Cooperation.

N.Y. Times

p. 3-C

From the French came the inspiration for the European Coal and Steel Community and for the nascent Atomic Energy Community and common market, all three grouping France and five of her neighbors.

None of these organizations would be recognizably the same without the enthusiastic participation of France. But the events of the last three days have cast doubt on her will and ability to play the role of keystone for the European community.

Sat 5-17-58

New York

N.Y.

Her will to continue, it would seem, would be reduced or eliminated if Gen. Charles de Gaulle were to return to power, unless he has greatly modified his declared hostility to NATO and European unity moves.

Her ability to make an effective contribution would be substantially reduced if the current internal political struggle were to sap the nation's economic strength, as it threatens to do.

Hostility to NATO

At his last news conference before retiring from the political scene on June 30, 1955, General de Gaulle caped a long record of expressions of hostility to NATO, as then and currently constituted, with these words:

"If the present regime were able really to embody the state, it would certainly conclude alliances, but would not pass to SHAPE [Supreme Headquarters, Allied Powers in Europe] and NATO the responsibility for defending France."

Protesting that the Atlantic alliance had failed to take into account the nation's defense duties in the French overseas territories, he said:

"That is one of the reasons that should lead us to demand the revision of the Atlantic pact as it is currently implemented."

In this respect, at least, the General's words were prophetic. Since his declaration, the bulk of the real combat strength of the French Army has been drained off, piecemeal, from West Germany and France for service against the nationalist rebels in Algeria.

General de Gaulle's opposition to European unity moves was more subtle. He yielded to none in his advocacy of a grand "confederation" of Europe or in his opposition to limited practical measures promoted by men such as former Foreign Minister Robert Schuman and Jean Monnet.

Thus, in 1951 he and his Parliamentary followers opposed French participation in the coal-steel pool until such time as a European referendum for the establishment of political links between the several countries should have been held—an objective generally believed unobtainable at that time. Two years later he was equally opposed to the never-realized European Defense Community, which would have submitted German armament to supranational control.

U. S. Role Criticized

The general was frequently critical both of the United States' "leadership" of the Western alliance and what he asserted was the French Government's slavish acceptance of it.

In the immediate post-war period he flew to Moscow to sign a French-Soviet treaty of friendship and alliance, since denounced unilaterally by the Russians. This was part of his determined effort to restore France to a position of relative independence between the power blocs.

In the plethora of statements issued recently by persons professing to know the general's mind there have been several indicating he would again be inclined to engage France in independent efforts to come to an understanding with the Kremlin.

His statement yesterday that he was willing to assume power gave no clue as to his position on this or any other point of policy.

Even before the current crisis, France's growing economic troubles imperiled her effective participation in the common market plan.

Her entry into free competition with her neighbors, particularly booming West Germany, is already complicated by higher prices and the tax and social-security costs weighing on her industry.

In recent months inflation has pushed French prices even further out of line, and political instability is likely to aggravate this trend still further.

14 1958

SCHOOL BOARD (MARYLAND)

School integration is election issue in Englewood; Mayor names Perry

Afro-American p. 5. Baltimore, Md

By SAMUEL A. HAYNES

ENGLEWOOD — "Because of your splendid record with the Board, I consider your reappointment a necessity . . .

"I am confident you will continue to bring to the Board a competent, enthusiastic and expert approach."

Sat 3-22-58

This was the compliment paid to John H. Perry, 247 Epps Ave., by Mayor Albert Moskin in notifying the prominent veteran educator and civic leader of his re-appointment to the Board of Education for a 5-year term, recently.

Md

THE oath of office was administered to Mr. Perry by Judge Abram Lebson, attorney for the Board of Education.

He was the first colored person to be appointed to the Board to fill an unexpired term.

Mrs. Perry has been teaching in the New York public school system for three decades, and is a former president of the Englewood Urban League.

He was named to the AFRO-AMERICAN annual Honor Roll several years ago for distinguished community services.

* * *

A SCHOOL expansion is under way here.

Members of the city council and the Board of Education are in conference with Dr. Frederick Raubinger, state, commissioner of education, on their plans for a new junior high school, an auditorium and other facilities.

The voters will be asked to approve the school expansion program by a referendum in May, because the cost, approximately 5,000,$000, exceeds the city's borrowing limit.

The referendum is expected to be opposed by some community organizations who charge that the Board of Education is not carrying out the recommendations of the complete survey made by Ohio State University for the Board.

* * *

OHIO State has recommended the construction of two small junior high school buildings with maximum capacity of 750 pupils.

The Board of Education proposes to build a single junior high school building with capacity of 1,000 pupils that can be expanded to accommodate 1,250.

In adopting the plan for a single instead of two junior high schools, the Board, which was ordered by the commissioner of education two years ago to change its school district lines to hasten complete integration, after many parents complained to the DAD, gave this explanation:

It said it felt that it can achieve "full integration" of all secondary school pupils by building a single junior high school, and also save the taxpayers considerable money and set up a sound educational program.

14 1958

BOARD OF EDUCATION (MICHIGAN)

Dr. Remus G. Robinson

Negro Heads Detroit Board of Education

14

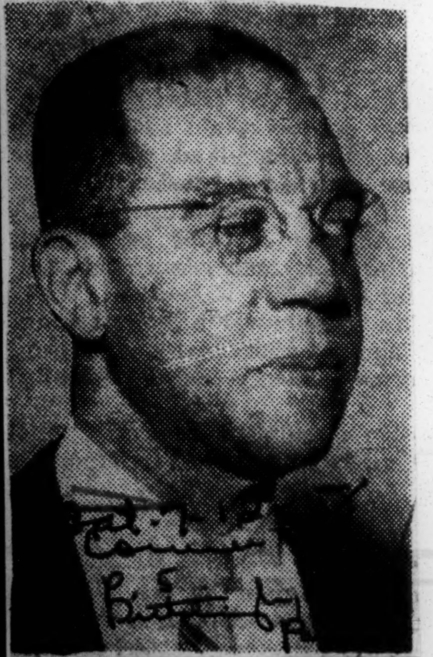
DETROIT, Mich. — Detroit has its first Negro president of the Detroit Board of Education.

He is Dr. Remus G. Robinson, a quiet-spoken, highly respected surgeon who was the first Negro to win a seat on the board. He turned the trick in 1955, elected to a six-year term.

The 53-year-old Dr. Robinson will serve a one-year term as board president, succeeding Leonard Kasle, 40, vice president of Kasle Steel Corp. Dr. Robinson, of 664 Chicago, held the post of vice president before he was upgraded.

The son of a Tuskegee Institute professor, Dr. Robinson was graduated from the University of Michigan. One of Detroit's outstanding surgeons, he is chief surgeon at Parkside Hospital.

Courier
P. 5
P. 5
Pittsburgh
Pa.



Dat. 7-12-58
Courier
P. 5
Pittsburgh, Pa.

DR. REMUS G. ROBINSON

MISS LOUISE C. GRACE, an advertising executive and former Board of Education president, was elected vice president, succeeding Dr. Robinson.

The election took place at the annual meeting of the board, which also voted to spend $161,145 to repair school buildings during the summer.

Dat. 7-12-58

14 1958 BOARD OF EDUCATION (NEW JERSEY)

Dr. Carter quits board

BULLETIN

ASBURY PARK — John H. Miller, supervisor of the financial inventory accounting service, Quartermaster Property Office, Fort Momouth, was named to the board of education on Monday by Mayor Thomas F. Shebell.

Afro-American
p. 5

He succeeds Dr. Joseph F. S. Carter who had been a member of the board since 1949 and vice president for ten years and whose surprise resignation last week stunned educational circles.

MILLER HOLDS the degree of Business Administration from City College, New York.

He was born in Anderson, Ind., grew up in Kentucky and came to Asbury Park three years ago from Brooklyn, N.Y., with his wife, the former Vivian Jordan, who was brought up in Asbury Park where she graduated from high school.

Baltimore

They have been married 13 years and have two children, John H. Jr., 11 ,and Lynn, 7, both of whom attend the Bangs Avenue School.

Sat: 2-22-58

ASBURY PARK—Educational, civic and interracial circles in Monmouth County were stunned by the sudden resignation last week of Dr. Joseph F. S. Carter from the board of education.

The prominent physician had been a member of the board since 1945, and had served as its vice-president since 1949.

He said in his resignation to Mayor Thomas Shebell that:

"Increasing duties as a member of the Board of Education has been affecting my health and has seriously interferred with my medical practice."

* * *

MANY EDUCATORS and parents had noped that, in the light of his long tenure on the Board and his eight years' experience as vice-president that his colleagues would have supported his nomination for the presidency at the reorganization meeting Feb. 1.

The liberal Asbury Park Press which speaks for the vast majority of citizens of both races, made reference to the by-passing of Dr. Carter for the presidency in an editorial tribute to him on Feb. 7.

The editorial captioned "Dr. Carter's Resignation" said in part:

* * *

"THE RESIGNATION of Dr. Joseph F. S. Carter as a member of the Board of Education has cost ~~Asbury Park~~ the services of an ~~able civic~~ servant. . .

"Dr. Carter has been a member of the Board since 1945. He had served as vice president since 1949.

"His health and medical practice no longer permit him to give the time the job requires.

* * *

"DR. CARTER didn't say it in so many words, but reading between the lines of his resignation one senses he felt disappointment because he was not elected president when the Board reorganized Saturday.

"After nine years as vice president, Dr. Carter deserved consideration for the presidency. But only one colleague, William Novogrod, proposed Dr. Carter for president.

Dr. Carter admitted to the AFRO during a telephone conversation that he was "somewhat disappointed" by not being made president of the Board of Education.

However, he expressed his gratitude to Mr. Novogrod for nominating him for the post.

The physician was among 10 leaders named to the N.J. AFRO Honor Roll for "superlative" service to his race and

School Board Member Resigns; Brooklyn Minister Cites Health

Times New York

Wed 2-5-58

Mayor Has Not Yet Acted on Letter From First Negro to Be Named to Body

P.17-C

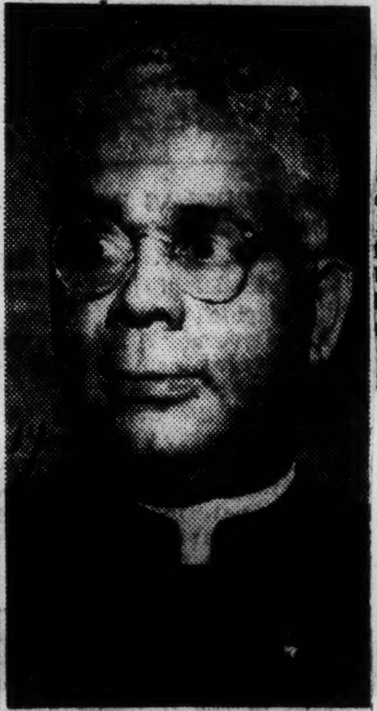
The Rev. Dr. John M. Coleman, the first Negro appointed to the Board of Education, has submitted his resignation to Mayor Wagner. He said he had been ill.

14

Dr. Coleman said yesterday the resignation had not yet been acted upon. Meanwhile, he noted, many persons have been urging him to remain.

Reached at St. Philip's Protestant Episcopal Church, Brooklyn, where he is rector, Dr. Coleman said: "It seems only equitable that I give up my membership on the board. I was out sick three months last year and I am still not well."

There was no indication that the resignation was in any way associated with the current investigation of delinquency in the Brooklyn schools.



The New York Times

The Rev. John M. Coleman

It was learned from reliable sources that the letter to the Mayor had been sent early in December before the current crisis had been reached. According to this source the resignation was to have taken effect Dec. 31 or "at the appointment of a successor."

Theobald Awaits Call

Deputy Mayor John J. Theobald said he received the letter of resignation "a couple of weeks ago" and asked Dr. Coleman "to think it over and call me."

"I am still waiting for the call," Dr. Theobald said.

It has been common knowledge that Dr. Coleman was not anxious to be reappointed for a second seven-year term in 1955 when he was renamed by Mayor Wagner.

At that time several organizations including the Urban League of Greater New York and the United Parents Associations urged that the post be given to the Rev. Dr. Gardner Calvin Taylor, rector of the Concord Baptist Church, Brooklyn.

Dr. Taylor, a vice president of the league and a militant figure in the fight for integration, was not considered seriously at City Hall although the Mayor appointed him in 1955 to the Commission on Interggroup Relations, headed by Herbert Bayard Swope.

Asked yesterday if he would consider the post on the board if it were offered to him Dr. Taylor replied, "I would give it everything I have."

Dr. Coleman, who is coordinator-secretary of the board's Commission on Integration and vice chairman of the Committee on Finance and Budget, has not appeared at a board meeting since December. He and Mrs. Cceile Ruth Sands are the Brooklyn members on the board.

Before his first appointment to the board by Mayor William O'Dwyer, Dr. Colman was a member of the Board of Higher Education for two years.

Bunche Named To Education Post In New York

14

NEW YORK (ANP)— Dr. Ralph Johnson Bunche is back in affairs of education again where many of his friends and former students feel he rightfully belongs. The United Nations Under Secretary has been named by Mayor Wagner to the Board of Higher Education. Dr. Edward D. Re from the Aeolian Islands off Italy a naturalized citizen, was also named to the board.

Wash P.4

The unsalaried post accepted by the new appointees involve the 21-member board which oversees the operations of City's Colleges.

Wed 3-19-58

Dr. Bunche replaced another Negro board member (Archibald F. Glover who resigned), and his and Dr. Re's term of office expires in 1961.

Dr. Bunche Gets New York Board Of Election Post

14

NEW YORK. — (ANP) — Dr Ralph Johnson Bunche is back in affairs of education again where many of his friends and former students feel he rightfully belongs. The United Nations under secretary, has been named by Mayor Wagner to the Board of Higher Education. Dr. Edward D. Re, from the Aeolian Islands off Italy, a naturalized citizen, was also named to the board.

Call P.3

Fri 3-28-58

Kansas City, Mo.

The unsalaried post accepted by the new appointees involve the 21-member board which oversees the operation of the city's colleges.

Dr. Bunche replaced another Negro board (Archibald F. Glover who resigned) member.

Dr. Taylor to Join Education Board

14

The appointment of the Rev. Dr. Gardner C. Taylor of Brooklyn as a member of the Board of Education was announced yesterday by Mayor Wagner.

Dr. Taylor will replace the Rev. John Coleman, also of Brooklyn, who resigned recently. The post is unsalaried. The new appointee will take the oath of office at noon Friday at City Hall.

3-5-58

Last Feb. 10 Dr. Taylor was elected president of the Protestant Council of the City of New York. He is the first Negro ever to fill this position.

Dr. Taylor, 39 years old and pastor of the Concord Baptist Church of Christ, lives at 1337 President Street, Brooklyn. He is vice president of the board of directors of the Urban League of Greater New York, a member of the New York City Commission on Inter-Group Relations.

The Rev. Dr. G. C. Taylor

Bunche, Taylor get N.Y. school posts

14 Board of Education

By LOUIS E. LOMAX

NEW YORK — Two distinguished New York residents were sworn in as members of the New York City Board of Education Tuesday afternoon.

Dr. Ralph J. Bunche officially assumed his post as a member of the New York City Board of Higher Education and, in a surprise move, Dr. Gardner C. Taylor was named to the City Board of Education. P. 5

Afro-American

Dr. Bunche is the first colored member to sit on the board of higher education. All of the City's colleges come under the administration of that board. Dr. Taylor replaces The Rev. John Coleman as a member of the regular board.

* * *

Baltimore.

BOTH MEN were appointed by Mayor Robert Wagner and the appointments indicate a new trend in the New York school board system.

Dr. Bunche brings to the post his experience as Howard University professor and then internationally known United Nations figure.

Sat. 4-5-58

The present post is the third school post offered Dr. Bunche in recent years.

He declined invitations to **head The New York City College and Queens College. Although the present post is unsalaried it carries tremendous power and prestige.**

* * *

DR. TAYLOR'S appointment caps a meteoric career. Dr. Taylor came to New York 14 years ago from Louisiana to assume the pastorate of Concord Baptist Church.

Since arriving in New York he has become a powerful figure in church and civic affairs.

Just last month, Dr. Taylor became the first colored pastor to head the New York City Protestant Council. He is vice president of the Urban League and a member of the New York City Commission on Inter-Group Relations.

The 40-year-old cleric is recognized as one of the nation's top preachers and featured prominently in the recent efforts to reorganize the National Baptist convention.

Both appointments reflect growing concern over the New York city school problem. During the coming year the board will have to resolve such complex issues as providing special schools for delinquent youth and the establishment of special English training courses for immigrants who have recently arrived in America.

Dr. Gardner Taylor On New York Board

Daily World Atlanta Ga.

Tues 4-1-58

NEW YORK — (NNPA) — The Rev. Dr. Gardner C. Taylor, president of the ~~Protestant~~ Council of the City of New York was appointed Monday to the Board of Education by Mayor Robert F. Wagner, it was announced.

Dr. Taylor, 39, will be the second colored person to serve on the nine-member board since 1917. The first was the Rev. John Coleman, also of Brooklyn, whom he succeeds. The Rev. Mr. Coleman resigned recently. The post is unsalaried.

Dr. Taylor was born in Baton Rouge, La., the son of the Rev W. M. and Mrs. Selina Taylor. His mother was a teacher, his father pastor of the Mt. Zion Baptist Church in Baton Rouge -- a pastorate which the son also served 13 years after his father's death in 1931.

Dr. Taylor was graduated from Leland College, Baker, La., and obtained his doctorate of divinity at Oberlin Graduate School of Theology, Oberlin, Ohio.

In 1940, he married Miss Laura Scott, a Phi Beta Kappa graduate of Oberlin. They have a daughter, Martha, 5, who attends a private kindergarten in Brooklyn.

Dr. Taylor went to Concord Baptist Church in 1948 from Mt. Zion. In 1952 Concord was destroyed by fire, but by 1956 Dr. Taylor had rebuilt it at a cost of $1,200,000. Concord is reputed to have the largest congregation of any church in the American Baptist Convention.

Last Feb. 10 Dr. Taylor was elected president of the Protestant Council, an organization of 1700 (seventeen hundred) Protestant churches representing 31 denominations. He is the first colored minister to hold the post. He also is vice president of the Urban League of Greater New York and a member of the New York City Commission on Inter-Group Relations

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N.Y. School Unit Adds Negro

14 Board of Educ.

By Herald Wire Services

Herald

NEW YORK CITY — The nine-man Board of Education has added Dr. Gardner C. Taylor, Negro pastor of Brooklyn's Concord Baptist Church, to its membership.

In These U.S.

Mayor Robert F. Wagner administered the oath of office at ceremonies in the municipal building. Dr. Taylor said problems in the schools "are huge and are made terrifying by failures in all our communities, black and white," and called for more progress toward "schools free from prejudice."

Sun. 3-30-58

Miami Fla.

Negro Cleric Takes Gotham School Post

14

NEW YORK (AP)—A Negro minister was sworn in Friday as a member of the nine-man New York City Board of Education. He called for more progress "toward schools free of prejudice."

Advertiser

Mayor Robert F. Wagner administered the oath of office to the Rev. Dr. Gardner C. Taylor, pastor of Brooklyn's big Concord Baptist Church, at ceremonies in the Municipal Building. Leading school administrators attended.

Sun. 3-30-58

Montgomery

Accepting the unsalaried, but influential position in the school system, Dr. Taylor said that problems in the schools "are huge and are made terrifying by failures in all our communities, black and white.

Ala.

"But here in New York we can set ourselves ever more firmly toward schools free of prejudice now," he added. "We can increasingly give back to teachers their chief strength, respect and stature in the community."

Wagner called Gardner's new assignment one of "tremendous responsibility" and said the minister brings to it "integrity, energy, great ability and knowledge."

Dr. Gardner succeeds the Rev. John M. Coleman, also a Negro, who resigned recently. Last February, Dr. Gardner was elected president of the Protestant Council of New York, the first Negro ever to hold the post.

14

p 118 Defender Chicago Ill. Sat. 4-12-58

DR. GARDNER C. TAYLOR, second from right, pastor of the Concord Baptist church of Brooklyn, is sworn in as a member of the New York City School Board of Mayor Robert F. Wagner as Hon. Charles H. Silvers, president of the board and Mrs. Laura Taylor, wife of the honoree, look on. Dr. Taylor is also president of the N. Y. C. Protestant Council and a member of the Greater N. Y. Urban league board.

NAACP affiliation charged: Dr. Hampton fired from post

Afro-American Sat. 3-29-58
Baltimore Md.

GREENSBORO, N.C.—"I am sorry there isn't any representation for colored persons, especially at this time when stresses are so great.

"I think it is important in keeping channels open between races."

14 P.15

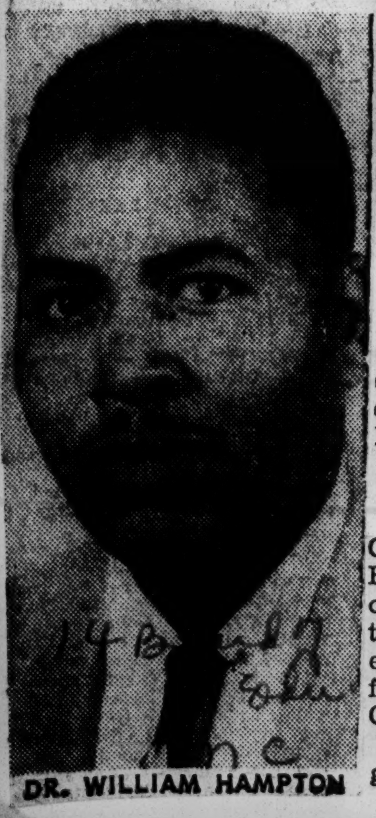
Following his removal from a post on the Greensboro School Board, allegedly because of "NAACP" affiliations, Dr. William M. Hampton, former city councilman, made these statements Monday.

* * *

DR. HAMPTON was ousted from the school board position by a City Council vote of 5 to 4. He was appointed to the post by former Mayor Robert Frazier. His term was to expire April 1.

Referring to the role the NAACP has played in the city's affairs, Councilman William Folk Jr. stated:

"We've lost two swimming pools, two golf courses and the schools have been integrated. But I don't think that color makes any difference any more in respect to service on boards."



14 Bd of Edu N.C

DR. WILLIAM HAMPTON

Dr. Hampton Renamed To Greensboro School Board

Journal & Guide, P.10. Sat 3-29-58

Special to Journal and Guide

GREENSBORO, N. C. —The Greensboro City Council last week reversed an earlier decision and reappointed Dr. William M. Hampton to serve a four year term on the city's School Board.

DR. W. M. HAMPTON On School Board

The Council had previously voted against the nomination of Dr. Hampton because of the objections of Councilman Tom Brown.

Norfolk, Va.

MR. BROWN HAD urged Council no support Dr. Hampton b e he said the colored phy n took an active part in e last Council election. (Dr. Hampton is a former member of the City Council.

The Council at first voted against Dr. Hampton and nominated Montgomery S. Hill for the position. Hill said he would not accept the nomination and the Council elected Dr. Hampton at its next meeting.

Durham School Board Member

14 N.C

Former City Councilman R. N. Harris of Durham, N. C. earned another "first" last week when he was elected to the Durham School Board.

Journal & Guide P.7 Sat 3-22-58 Norfolk Va

Mr. Harris, a former resident of Portsmouth, was named to replace H. Spurgeon Boyce who resigned. Mr. Harris is also a member of the city's Race Relation's Committee, considered to be one of the first such organizations in the South.

Dr. Hampton Renominated To NC Board

Journal

Wilmington N.C.

GREENSBORO—Dr. William M. Hampton, physician and city school board member, was appointed last Wednesday by the City Council to serve a four-year term on the Board.

Sat 3-29-58

Dr. Hampton, a former member of the City Council, said: "I am grateful to be given the opportunity to serve."

Declining to answer a statement of Councilman Tom Brown, Dr. Hampton said he was happy to serve and added that he had nothing further to say.

P.4

In explaining a stand against Dr. Hampton, Brown had said: "I cannot support Dr. Hampton. In the last election (council election of last spring) Dr. Hampton took an active part. . .I told him I thought it was unbecoming of a School Board member to take an active part in the election."

Journal 14

Dr. Hampton's nomination Wednesday reversed a decision by the Council on Monday not to nominate him for another term.

At the urging of Councilman Brown, the Council on Monday had voted against Dr. Hampton and nominated Montgomery S. Hil land Mrs. M. Ray Banner, Jr. for the School Board post. However, Hill announced that he would not accept the nomination and Dr. Hampton was elected on the first ballot Wednesday when the Council met to name someone to take Hill's place.

Sat 3-29-58

Mrs. Banner reported that she is awaiting word from her own and School Board lawyers before deciding whether she will accept the position.

Carolina Pastor In Race For School Board Seat

14 Board 14

Special to Journal and Guide

STATESVILLE, N. C. —For the first time in modern history, a colored citizen is seeking an elective post in Iredell county, N. C.

The Rev. A. M. Gibson, pastor of the Center Street AME Zion church here has announced his candidacy for the Democratic nomination to the **county Board of Education.**

REV. MR. GIBSON, a native of Franklin and pastor of the local congregation for six years, said in his announcement:

'I want to do my part in public service as well as in the ministry. I feel the Negro people need a representative on the Board of Education and a voice in school matters. I **would like to see Iredell county** schools improved and the best instructional program provided which is possible.

* * *

"I WOULD LIKE my ministry to go beyond the preaching ministry into every area of life."

Rev. Mr. Gibson and eight **white candidates are running** **for five nominations to the board.**

Journal + Guide

P. 1

Sat. 4-26-58

Norfolk Va.

Drop Man's Name From Ballot In Dallas Election

14 Texan

DALLAS. — The name of a Negro candidate for the Dallas school board was dropped from the ballot last week because he served a federal prison term for mail fraud.

The Call P. 1

Father J. Von Brown, leader of the Lighted Church of Prayer, 3404 Myrtle, was sentenced to a three-year term for mail fraud on January 14, 1948, and served 18 months of the sentence at the El Reno, Okla., federal reformatory.

Fri 4-18-58

"He was convicted in 1948 of mail fraud," school Attorney Andrew J. Thuss said Friday. "He admits that. We haven't been furnished with a pardon, and he doesn't claim to have one at this time," Mr. Thuss said.

Kansas City Mo

Call P. 1

Section II, Article 16 of the Texas constitution states that laws "shall be made to exclude from office, serving on juries and from the right to vote, those who may have or shall hereafter be convicted of robbery, perjury, forgery or other high crimes."

Kansas City Mo

Thuss said, "Von Brown's conviction falls under this constitution provision."

14 Texas

Brown, who lives at 2606 South Blvd., was seeking election as an opponent of R. B. Gilmore for Place 8 (at-large). The school election will be May 3.

Bureau of Prisons records show that Joseph Von Brown was discharged June 27, 1949, from El Reno. Neither the Bureau of Prisons or Post Office Dept. records show that he made application for a pardon or that one has been granted to him.

Brown is a stockholder in the Dallas Star Post, a weekly newspaper, and held stock in the Excelsior Life Insurance Co. when they sold out.

Houston Elects Negro to Board

Times-Picayune

HOUSTON, Tex. (UPI) — The Houston school board was integrated Wednesday by Mrs. Charles E. White, 42, the first Negro to be elected to a public office in Houston.

New Orleans La.

Mrs. White, wife of an optometrist and mother of five children, beat two white opponents, Dr. John Glen and Karl F. Doerner, by a margin of 6296 votes out of a total of 74,847 cast.

She campaigned on the issues of integration and federal aid to schools and could not have been elected without white support.

Thurs 4-10-58

"The outcome of the election was proof, I think, of this," she said. "I did not run for this position in order to represent only the Negro children of Houston.

P. 7

Of the general integration problem in Houston, she said:

"Gov. (Orval) Faubus and Little Rock have shown the people of Houston that violence and strife are not the means of working out this problem.

"I feel the integration problem is being solved in our courts and hope we in Houston can follow the fine examples of such cities as El Paso, San Antonio and Corpus Christi—without evidence of hard feeling."

14a 1958

FUND FOR ADULT EDUCATION

HIGHER EDUCATION FOR ADULTS GAINS

$6,921,242 Spent for It in 2 Years by the Fund Financed by Ford

14a

Special to The New York Times.

WHITE PLAINS, May 21—A "ground swell of interest" in liberal adult education was reported yesterday by C. Scott Fletcher, president of the Fund for Adult Education.

In a two-year report on the fund's activities, Mr. Fletcher said that the increased interest was being felt "both in the areas of adult activities that use education as a method and in the areas of education that serve adult concerns."

N.Y. Times
P. 51 M
May 22-58

"The world cannot wait until the new generations take charge," Mr. Fletcher declared. "It is adults who make the homes, the churches, the schools, the communities. It is adults who determine policy in our political, economic and social lives.

New York, N.Y.

"It is adults who must cope with the dangers and opportunities of every pressing day. Men and women must act while their children prepare. Their decisions will create the world their children will inherit."

Carrying Out Task Is Set

Established by the Ford Foundation in 1951 as an independent organization, the fund is concerned with "that part of the educational process which begins when formal schooling is finished." It has headquarters here.

The fund's directors have defined its "special task" as "supporting programs of liberal adult education which will contribute to the development of mature, wise and responsible citizens who can participate intelligently in a free society."

During the two years covered by the report, up to mid-1957, the fund expended $6,921,242 in grants and projects. It received a financing grant of $17,500,000 from the Ford Foundation from Jan. 1, 1957, to Dec. 31, 1961. In 1956, the fund combined its three regional offices to form a national office at 200 Bloomingdale Road here.

The report devotes attention to three major areas of activity—educational television, the providing of formal and informal courses for adults through educational institutions, and the the liberal education for adults. development of leadership for adults.

Accelerating of Television

In 1951 when the fund was set up, the report noted, no educational television station was in operation. By the middle of last year, it said, twenty-eight educational television stations were functioning. More than $11,500,000 was expended by the fund from 1951 to 1957 for the development of educational television.

In the two year period ending last year, the fund granted more than $1,000,000 for this purpose. During this span, twelve new stations. began operations.

Also during 1955-57 the fund appropriated nearly $4,500,000 to assist colleges and universities, public schools, public libraries and national organizations in offering opportunities to adults for study and discussion in liberal subjects and granted $850,000 to special projects for the development of leadership potential.

Clarence Francis, former chairman of the board of directors of General Foods Corporation, is chairman of the board of the fund.

Jeanes Supervisors Seek Better Teaching Methods

By INEZ J. BASKIN

The Alabama Association o Jeanes Supervisors, during the recent meeting of the Alabama State Teachers Assn. at the Alabama State College, held a luncheon at the McDavid Elementary School, Thursday, with Mrs. Katie Blackwood, president, Henry County, and Mrs. M. Y. Forte, supervisor of instruction of Montgomery County, as program chairmen.

"The Team Approach to School mprovement," and "Supervision ne Key to Improved Instruction," were discussed during the luncheon served by Principal Edward Stevens and his assistants.

Greetings were brought by Mrs. Catherine N. Johnson at which time she noted that the "social and technological pattern changes warranted the centering of attention on the curriculum as well as the cooperation of all persons concerned for the betterment of the pupils."

Prof. W. E. Thompson bringing greetings from the 412 teachers of Montgomery County, of which he is president, said the fact to remember is "schools exist for the pupils and not just to give jobs to instructors and supervisors."

Panelists who discussed the different phases of the overall theme, were Mrs. Katie S. Blackwood, president of the Alabama Association of Jeanes Supervisors, who spoke from the subject, "Parent, Teacher and Pupils Cooperation." She stated "the great need is for a school program geared to the varied needs and capacities of the students. That two heads were definitely better than one, as relates to the school program. Also the same problem existed for parents and teachers where pupils were concerned, for the most part. The future of the children lay with each worker, just as hope for the future lay with the children."

SCHOOL GOALS

Prof. W. E. Morton, president of the ACIL, spoke from the subject, "School Organization and Operation." He listed the necessities for school improvement as: all segments of the school should be involved in its total program; each person should be able to function freely and not with a fear of punishment; all decisions schould be made on a cooperative basis; the watchwords of each school organization is "productivity," and finally, all teachers should be big in spirit, tall in aspiration and abundant in love."

Dr. Zelia S. Evans, professor of education, Alabama State College, discussed the topic, "In Service Study and Action Research." Defining the term "action research," she noted that the connection of the term meant a "cooperative approach in a search for the answers to educational problems. This being done with the guidance of more experienced faculty members, so that the problem could be recognized and thereby a solution sought. Children only grow where there are growing teachers. Teachers grow through further study and authoritative searching for the answers from current authorities and tests.

She said the in-service program of which she had high praise should become more action and less talking.

Serving as moderator was Prof. J. B. Weir, first vice president of the ASCD from Pickens County. Professor Weir, in a humorous note, opened the discussion with personal reference to his experience as a ball player. He stressed the importance of playing with a team spirit and not as an individualist.

The question and answer period was opened with a question by Dr. Robert C. Hatch. "What in one's profession will make him operate as a professional rather than an opportunist?"

From this question many observations were made by Mrs. A. M. Norris, attendance supervisor; Mrs. T. S. Morris, principal of the William B. Paterson Elementary School, and others of the approximately 75 persons attending the luncheon.

Some of the summations drawn as to possible solutions were: Understanding each others' philosophy, team play not as an individual but as a part of the team and to assign each person to a particular job.

Advertiser P. 27
Sun, 3-30-58
Montgomery
Alabama

Education Group Names Subcommittee Members

The Alabama Education Commission yesterday announced the appointment of a group of subcommittee members to assist in the work of surveying the state's education facilities.

14 b

The subcommittees and their members are:

Instructional Program

Commission members: Sen. Joseph W. Smith, Russell County, chairman; Sen. E. O. Eddins, Marengo; Rep. Hugh Kaul, Jefferson; H. B. Larkins, Elba, Alabama; Dr. David W. Mullins, Vice President of Alabama Polytechnic Institute, Auburn; Mrs. George W. Yarbrough, Wedowee; Rep. Joe M. Dawkins, ex officio, Montgomery.

Advertiser P. 2

Additional members: Carl Bear, Montgomery; John O. Bryant, Phenix City; Dr. Cranford Burns, superintendent of city and county schools, Mobile Dr. W. L. Davis, chairman, Department of Secondary Education, Alabama Polytechnic Institute, Auburn; Aubrey Dominick, Tuscaloosa; Dr. Howe Hadley, professor of education, University of Alabama, University; Miss Foy Ingram, director, Laboratory School, Troy State College, Troy; Wayne Miller, Montgomery; Clyde Person, Montgomery; Winston Stewart, Montgomery.

Apr. 24, 58

Montgomery, Ala.

Personnel In Education

Members of commission: E. C. Pippin, chairman, Montgomery; Sen. Lynchmore Cantrell, Colbert; Dr. J. F. Drake, president, A&M Institute, Normal; Rep. McDowell Lee, Barbour; Rep. Hugh D. Merrill, Calhoun; Thomas D. Russell, Alexander City;

Additional members: Dr. W. E. Anderson, Alabama State College, Montgomery; Mrs. Maxwell Dean, Montgomery; Dr. William N. Eddins, Alabama Education Assn., Montgomery; Leland Enzor, mayor, Andalusia; Frank Parker, Birmingham; Miss Ada Kate Posey, Montgomery; Mrs. Joe Rutledge, Anniston; Robert Stewart, Montgomery; Mrs. Carl Strang, Eufaula; Miss India Temple, Alabama City.

Building And Transportation

Members of commission: Hayse Tucker, chairman, Tuscaloosa; Howell Heflin, Tuscumbia; Mervyn H. Sterne, Birmingham; G. T. Walker, Kennedy; Mrs. Yarbrough; and Dawkins.

Additional members: Roland Adams, York; Dr. John M. Gallalee, Birmingham; V. C. Helms, superintendent of education, Lee County, Opelika; John M. King, Cullman; Dr. Austin Meadows, state superintendent of education, Montgomery Dr. C. P. Nelson, exeutive secretary, Alabama Education Association, Montgomery; Allen Northington, Florence; F. M. Sizemore, Sulligent; B. H. Weeks, Birmingham; Gen. John Persons, Birmingham.

Organization And Administration Of Public Schools

Commission members: Rep. Virgis Ashworth, chairman, Bibb; Hugh Comer, Sylacauga; Heflin, Pippin, Sen. T. Herman Vann, Madison; Walker, and Dawkins.

Additional members: Charles O. Bingham, Mobile; Willian Garrett, assistant superintendent, Montgomery County schools, Montgomery; Dr. Ben C. Hubbard, superintendent of county schools, Bibb County, Centreville; Herman Maddox, Jasper; John W. McConnell Jr., Mobile; R. B. Reid, Fairfield; Mrs. Janice Weaver, president, Classroom Teachers of Alabama, Buhl Oscar Zeanah, principal, Enterprise High School, Enterprise;

Financing Education

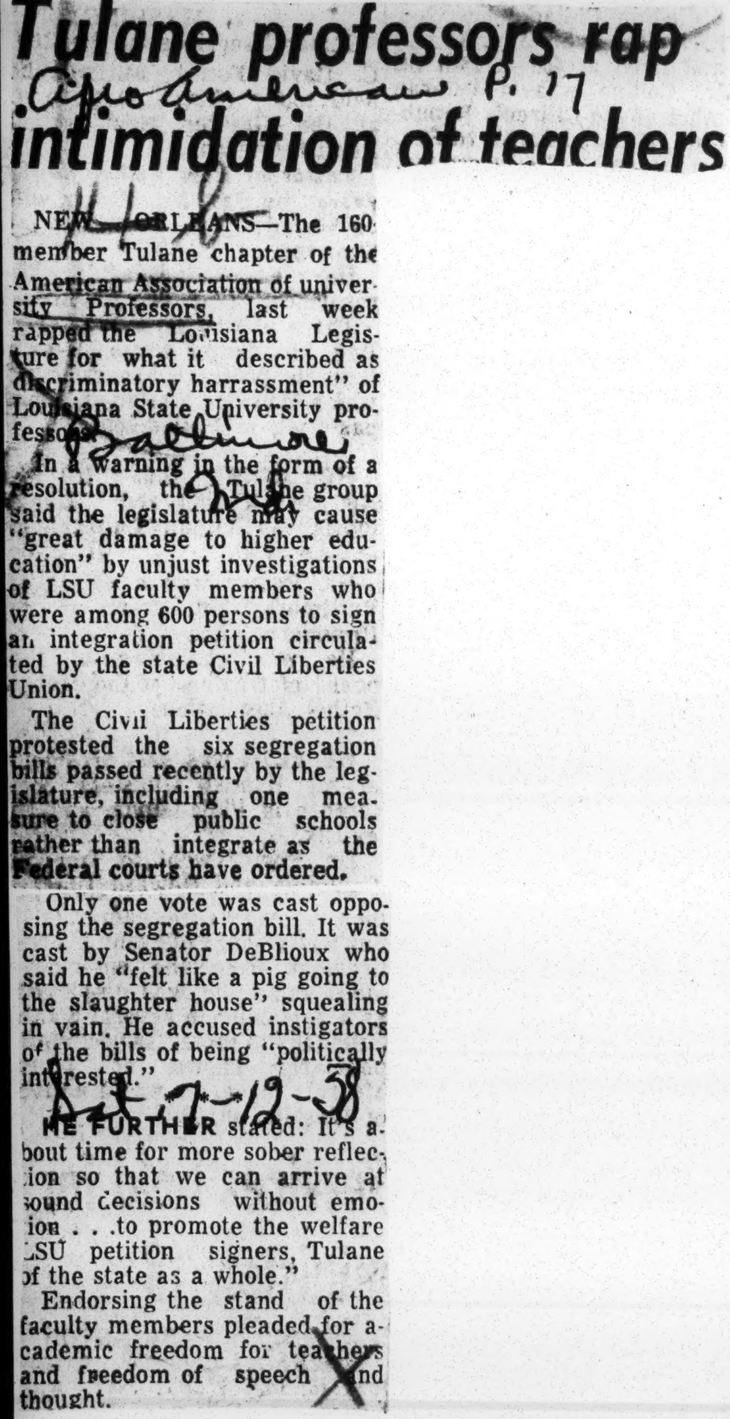
Members of Commission: Sterne Ashworth, Comer, Eddins, C. B. Gillmore, Grove Hill; Kaul, Lee, Merrill, Tucker, and Dawkins.

Additional members: John C. Curry, Montgomery; Brady Belcher, Centreville; L. Y. Dean III, Eufaula; Woodrow Elliot, superintendent, Shelby County Schools, Columbiana; Dr. Rayburn J. Fisher, assistant superintendent, Jefferson County Board of Education, Birmingham; John A. Garrett, Montgomery; W. T. Ingraham, treasurer, Alabama Poytechnic Institute, Auburn; Dr. Kermit A. Johnson, superintendent. Tuscaloosa County schools, Tuscaloosa; Claude S. Lawson, Birmingham; Dr. John R. McLure, Dean, College of Education, University of Alabama, University; J. Finchley McRae, Mobile; William A. Mitch, Birmingham; Harry Pritchett, Tuscaloosa; Ernest Stone, Jacksonville.

Higher Education

Members of commission: Gillmore, Cantrell, Drake, Larkins, Mullins, Russell, Smith, Vann, and Dawkins.

Additional members: Wintor Blount, Montgomery; J. B. Converse, Mobile Dr. John A. Fincher, Dean, Howard College, Birmingham; Dr. Paul Garner, Dean, College of Business Administration, University of Alabama, University; Dr. James H. Newman, executive vice president, University of Alabama; Dr. E. B. Norton, president, Florence State College, Florence; Alexander Nunn, Birmingham; Dr. Howard Phillips, president, Alabama College, Montevallo; Dr. Truman Pierce, Dean, School of Education, Alabama Polytechnic Institute, Auburn; Frank Samford, Birmingham; Dr. A. S. Turnipseed, Mobile; J. M. Van Houten, Birmingham; Charles H. Zukoski Jr., Birmingham.



Tulane professors rap intimidation of teachers

Afro American P. 17

NEW ORLEANS—The 160-member Tulane chapter of the American Association of university Professors, last week rapped the Louisiana Legislature for what it described as discriminatory harrassment" of Louisiana State University professors.

Baltimore, Md.

In a warning in the form of a resolution, the Tulane group said the legislature may cause "great damage to higher education" by unjust investigations of LSU faculty members who were among 600 persons to sign an integration petition circulated by the state Civil Liberties Union.

The Civil Liberties petition protested the six segregation bills passed recently by the legislature, including one measure to close public schools rather than integrate as the Federal courts have ordered.

Only one vote was cast opposing the segregation bill. It was cast by Senator DeBlioux who said he "felt like a pig going to the slaughter house" squealing in vain. He accused instigators of the bills of being "politically interested."

Sat. 7-12-58

HE FURTHER stated: It's about time for more sober reflection so that we can arrive at sound decisions without emotion . . .to promote the welfare LSU petition signers, Tulane of the state as a whole."

Endorsing the stand of the faculty members pleaded for academic freedom for teachers and freedom of speech and thought.

Courier
Pittsburgh, Pa.
Sept. 7-58
P. 1 Sec. II

Research Committee— The research committee of the Association of Colleges and Secondary Schools, members of which are shown above, met in Washington, D. C., to outline a program designed to improve the academic performance of students in elementary, secondary and collegiate institutions in the South. Left to right: Dr. Charles H. Thompson, Howard University; Dr. William H. Browne, North Carolina College; Dr. Thomas Henderson, Virginia Union University; Dr. Rufus E. Clement, Atlanta University; Dr. John E. Codwell, Phillis Wheatley High School, Houston, Tex.; Dr. Charity Mance, Tennessee State A. and I. University; Dr. Horace Mann Bond, Atlanta University, and Dr. Martin E. Jenkins, Morgan State College.

Association Of Colleges And Secondary Schools To Begin 25th Annual Convention Here December 3

Educators numbering in the hundreds from across the nation are expected to converge on Louisville from December 3-5, for the 25th Annual Convention of the Association of Colleges and Secondary Schools to be held at Central High School, 12th and Chestnut.

14
Defender

Science Theme

p. 3

Theme of this year's convention of the association is "Education In A Scientific Age — Problems and Opportunities." The convention program will consist primarily of informative sessions featuring prominent educators as guest speakers. There will also be general sessions and business meetings during the course of the convention.

Louisville
Ky

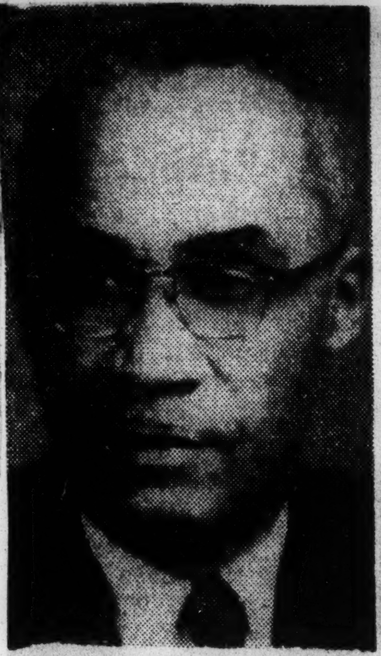
Officers of the Association are Dr. John E. Codwell, Houston, Texas, president; Dr. James A. Colston, Knoxville, Tenn., first vice president; W. E. Combs, Tallahassee, Fla., second vice president; and Dr. L. S. Cozart, Concord, N. C., secretary-treasurer.

Wed
11-26-58

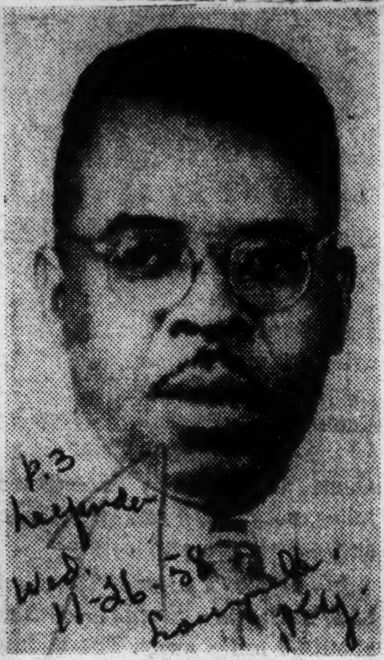
Guest speakers for the numerous general sessions will include Dr. William G. Pollard, executive director, Oak Ridge Institute of Nuclear Studies; Dr. Phillip Davidson, president, University of Louisville; and Dr. Allison Davis, professor of Education and member of the Committee on Human Development, University of Chicago.

Greetings at the opening session of the convention will be extended by Frank L. Stanley, Sr., publisher, Louisville Defender; William W. Beckett, city alderman; and Dr. Omer Carmichael, superintendent of Louisville Public Schools.

On December 5 during a business session, reports of the commissions on Secondary Schools and Colleges and Universities will be studied. Dr. Clinton Young is chairman of the Secondary School commission and Dr. James A. Colston is the College and University commission head.

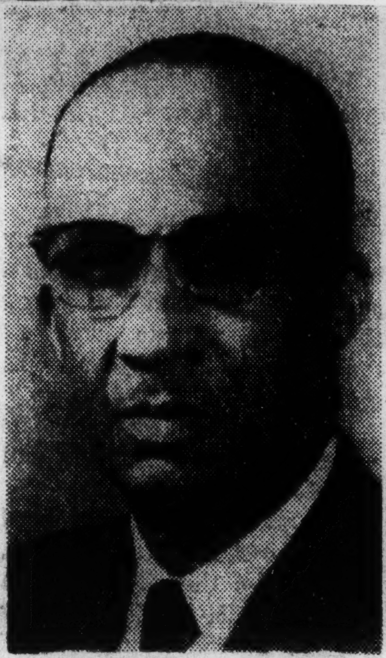


Dr. James A. Colston
First Vice-President

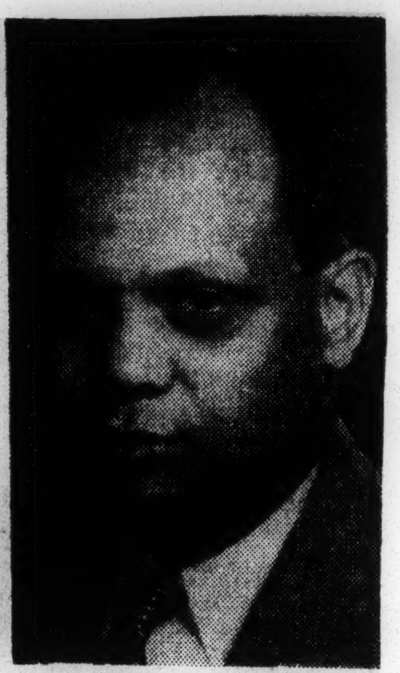


p. 3
Defender
Wed.
11-26-58
Louisville, Ky.

W. E. Combs
Florida School Supervisor



Dr. John E. Codwell
President



Dr. Thomas Henderson
Research Chairman

Teachers Of Social Science Point To Dr. Martin L. King

Nashville Tenn.

P. 3

Fri. 6-7-58

JEFFERSON CITY, Mo. The 23rd annual meeting of the Association of Social Science teachers with 75 delegates in attendance from various colleges and universities met recently on the campus at Tuskegee Institute in Alabama.

The association adopted a slate of seven resolutions including one which commended the civic contributions of the Rev. Martin Luther King, Charles Gomillion, Edwin R. Edmonds. and their associates in the incidents at Montgomery, Tuskegee, and Greensboro.

The following resolutions were adopted:

1. Recognizing that the great principles of the social sciences must be translated into constructive social action dedicated to giving reality to the democratic concept, the members of the Association of Social Science teachers do hereby commend those who are demonstrating courageous leadership in difficult community situations.

Because of the dramatic impact of the developments in Tuskegee, Montgomery, and Greensboro, we call particular attention to the efforts of these movements and the contributions made by Martin Luther King, Charles Gomillion, Edwin R. Edmonds, and their associates, in uniting the Negro population in a crusade to secure justice and human dignity.

2. The Association of Social Science Teachers, cognizant of the great problems involved in the struggle for self-determination by the colonial and subjugated peoples of the world, commends these peoples for their sacrifice and successes and extends sincere moral support to their efforts for ultimate realization of full independence and membership in the community nations.

Other Resolutions called for Social Science teachers to re-emphasize the power of the ballot as an effective means of influencing social action; a resistance to any efforts to create an unjustifiable imbalance between science courses and other courses offered in our American educational system because of current criticism of our system since the Soviet launching of the first satellite; appreciation to Tuskegee for the warm hospitality shown to the conferees; a commendation to Tuskegee Institute for its contributions toward the development and advancement of the Negro, the South and the Nation; and rededication of social science teachers to basic ideals.

The Presidential address delivered by Edwin R. Edmonds of Bennet College was entitled "Some Reflections of a Social Scientist on Social Changes and the Contemporary South in Crisis.

Featured speakers at the association banquet were two men prominent in the fight for civil rights— J. R. Otis, late president of Alcorn College, who is presently teaching economics at Tuskegee, spoke on "Fighting Injustice."

SS Teachers Meet At Tuskegee Inst.

Arkansas State Press

Little Rock Arkansas

14b

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P. 6

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Social Science Teachers Meet At Tuskegee Inst

14b

TUSKEGEE — The 23rd annual meeting of the Association of Social Science teachers with 75 delegates in attendance from various colleges and universities met recently on the campus at Tuskegee Institute in Alabama.

P. 13

Houston

Sat 5-31-58

The association adopted a slate of seven resolutions including one which commended the civic contributions of the Rev Martin Luther King, Charles Gomillion, Edwin Edmonds, and their associates in the incidents at Montgomery, Tuskegee, and Greensboro.

The following officers were installed: President, George R. Ragland, Prairie View College; president - elect William P. Robinson, Central State College; first vice president, william McIntosh, Grambling Col- Whitney Young, Atlanta University; Executive Secretary, J. Erroll Miller, Lincoln University (Mo.); Secretary and Editor of the Journal, Stanley H. Smith, Tuskegee Institute; Assistant Secretary, ElnaJ. Howell, Tuskegee Institute; Treasurer, R. F. Russell, Arkansas A. M and N. College.

Dr Violaine Juned, professor of Social Anthropology University of the National Union of South Africa was a visitor to the annual meeting. The next meeting of the association will be held at Atlanta University in Georgia on the first weekend in May of 1959.

Social science teachers called on to use ballot

Afro-American

P. 4

Sat 6-7-58

TUSKEGEE, Ala.— Holding their 23rd annual meeting at Tuskegee Institute here last week, the Association of Social Science Teachers passed a resolution which called on delegates to re-emphasize the power of the ballot to influence social action.

The 75 delegates adopted seven resolutions in all, including one which commended the contributions of the Rev. Martin Luther King, Charles Gomillion, Edwin R. Edmonds and their associates in the incidents at Montgomery, Tuskegee and Greensboro.

Mr. Edmonds, of Bennett College, president of the Association of Social Science Teachers, was the principal speaker. He spoke on "Some Reflections of a Social Scientist on Social Changes and the Contemporary South in Crisis."

* * *

MAJOR SPEAKERS at the banquet were J. R. Otis, former president of Alcorn (Miss.) A. and M. College and now professor of economics at Tuskegee Institute, and Mr. Gomillion, president of the Tuskegee Civic Association.

George R. Ragland of Prairie View (Texas) College was elected president of the group and William O. Robinson of Central State College, Wilberforce, Ohio, was named president-elect.

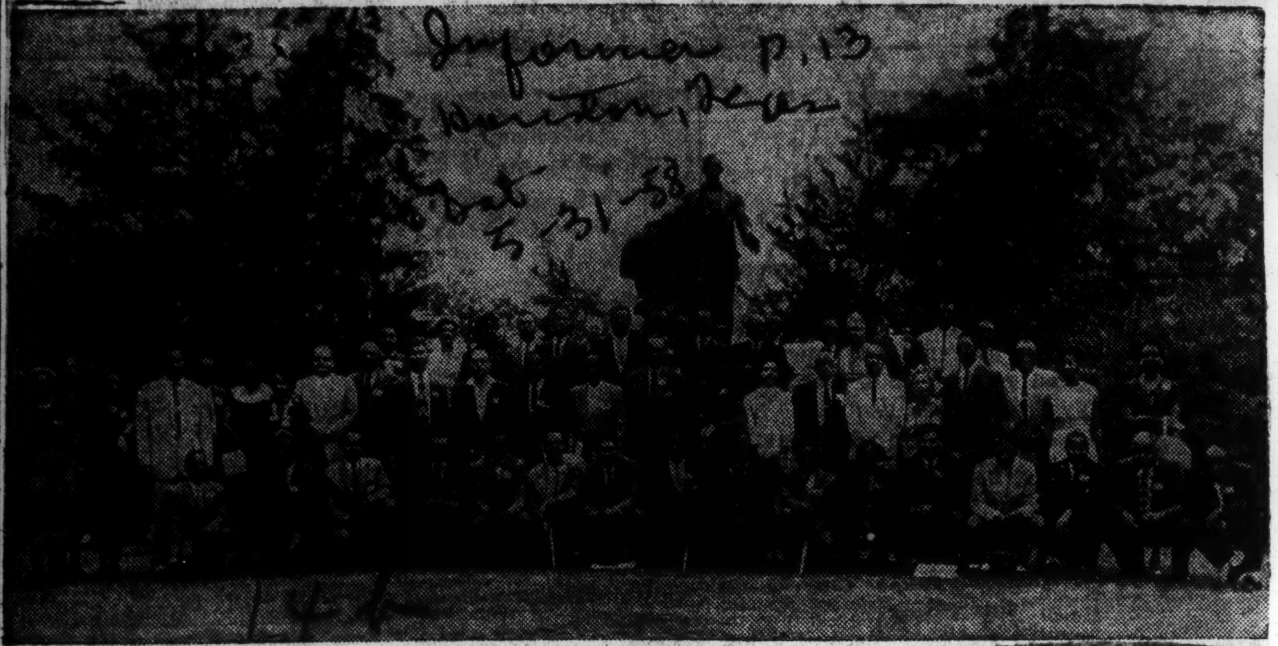
Baltimore

MD.

OTHER OFFICERS are William McIntosh, Grambling (La.) College, first vice president; Whitney Young, Atlanta University, second vice president; J. Erroll Miller, Lincoln (Mo.) University, executive secretary;

And also Stanley H. Smith, Tuskegee Institute, secretary and editor of the journal; Elna J. Howell, Tuskegee Institute, assistant secretary; and R. F. Russell, Arkansas A. M. and N. College, treasurer.

Social Science Teachers At Session



Informer p.13
Houston, Texas
Sat
5-31-58

The above group is a picture of delegates to the 23rd annual session of the Association of Social Science Teachers under the historic monument of Booker T. Washington on the campus of Tuskegee Institute.

14b 1958

ASSOCIATION OF SOCIAL SCIENCE TEACHERS

THE ASSOCIATION OF SOCIAL SCIENCE TEACHERS

The Association of Social Science Teachers will hold its twenty-third annual meeting at Tuskegee Institute on April 24-26, 1958.

Daily Activity Sheet. Wed. 4-23-58

One highlight of the program will be an address on Thursday evening at 6:30 in Logan Hall, by the President of the Association, Dr. Edwin R. Edmonds of Bennett College. Tuskegee Institute, Ala.

On Friday afternoon (1:30-3:30) in the Auditorium of Willcox Hall "A" there will be a panel discussion on "Critical Problems Encountered in the Teaching of the Social Sciences in the Public Schools." On Friday night there will be a banquet at 8 o'cloc in the Pine Room, Dorothy Hall at which time Mr. C. G. Gomillion and Dr. J. R. Otis will be the speakers.

EDITING SECOND ISSUE OF CLA JOURNAL for Annual Convention April 24-26 at Houston Texas—Shown above are seven members of the Editorial Board of the CLA Journal as they prepare the second issue of the official organ of the College Language Association. They are seated, left to right: Drs. J. Welfred Holmes, Book Review Editor; Nick Aaron Ford, Regional Advisory Editor; Therman B. O'Daniel, Editor; and Ulysses G. Lee Jr., Assistant Editor. Standing are: Drs. C. Philip Butcher, Maurice A. Lee and Mr. Marcus Allen, all Assistant Editors. The Editorial Board of the **Journal**, which was initiated by the national organization as its official publication in November, 1957, is composed of members from all parts of the country. Those shown here are all Morgan State College faculty members. The College Language Association will hold its annual convention April 24-26 at Texas Southern University Houston, Texas.

Daily World

Atlanta, Ga.

4-22-58

Language Group Meets in Texas

14-58

BATON ROUGE—Dr. Blyden Jackson, president of the College Language Association will steer the organization's forthcoming 18th annual session at Texas Southern University, April 24-26.

Dr. Jackson, who is chairman of the English department at Southern University, will be accompanied by several Southernites to Houston.

Among these are Dr. K. C. Miller, head of the foreign language department; Lenora Buford of the modern foreign language department, and Mrs. Thelma Spaulding of the English department.

ALL ARE members of the professional association for language teachers. In addition two students with ability in creative writing will also attend.

They are Alvin Aubert, a junior from Lutcher, La., a practicing poet,. and Miss Herbert D. Wingard, senior from West Monroe, La., and a short story writer.

During Dr. Jackson's administration and under the editorship of Dr. Therman B. O'Daniels of Morgan State College, the CLA bulletin has been upgraded to a professional journal.

Ten Will Be Honored

Sat. 4-26-58

Courier

p. 6

Pittsburgh, Pa.

TEN OF the nation's top language teachers will be honored during the annual meeting of the Language Association.

Dr. Hugh M. Gloster, chairman of the Communications Center, Hampton Institute, Virginia, who founded the College Language Association, is among the honorees.

Others to be honored according to Dr. John S. Lash of Texas Southern University are:

Prof. W. Edward Farrison, North Carolina College, Durham; John W. Parker, Fayetteville State College, Fayetteville; Sterling Brown, Howard University, Washington, D. C.; Frederick Dedmond, Morgan State College, Baltimore; Nick Aaron Ford, Morgan State College; Mercer Cook, Howard University; Mrs. Leila Barlow, Alabama State College, Montgomery; John F. Matheus, Morehouse College, Atlanta, and N. P. Tillman, Atlanta University, Atlanta.

College Public Relations Men Advised

'Don't Oversell Social Life To Prospective Colleagians'

14b

CHARLOTTE, N. C.—Public relations officers and student recruiters must play down the "country club" side of college life. This was one of the conclusions of the Public Relations Institute held at Johnson C. Smith University.

E. F. Corbett, director of public relations at A. and T. College, Greensboro, N. C., advised the group that emphasizing the "country club" idea of a football game every other Saturday, a basketball game twice a week, the numerous dances of fraternities and sororities, handsome men and beautiful girls as an attraction for a college career does not psychologically prepare a prospective student for the strenuous academic load demanded by our colleges.

Courier P11
Sat 2-1-58
Pittsburgh, Pa

The 24 representatives from 15 colleges, in a one-day institute, came to grips with the problems of public relations officers in colleges serving predominantly Negro students.

The purpose of the institute was to explore the mutual problems in a comparatively new program in most colleges, and to share experiences in an effort to discover better ways to do a more effective job in public relations in their respective colleges.

College Press Meets—

College public relations directors attending the Public Relations Institute at Johnson C. Smith University, Charlotte, N. C., were, first row, left to right: E. F. Corbett, A. and T. College; Mrs. Sarah J. Stewart, J. C. Smith; Zack Weston, Benedict College; C. A. Ray, North Carolina College; Moses S. Belton, J. C. Smith; William [illegible] Crump, Tennessee State University; O. K. Beatty, Livingstone College, and P. Anders, St. Augustine. Second row: H. G. Dawson, North Carolina; B. F. Dabney, Virginia State; John H. Parker, Fayetteville State; Samuel Whiteman, a visitor; Prince Jackson Jr., Savannah State; W. C. Scott, Savannah State; Lafayette Parker, Fayetteville State, and J. W. Twitty, J. C. Smith. Third row: Elijah Gardner, Morris College; W. V. Harper, Tennessee State; C. W. Pettigrew, Albany State College; Sankey C. Chae, Florida Normal, and W. L. Gibson, Bennett College.

Courier P11
Sat 2-1-58
Pittsburgh, Pa

14b

Courier P11
Sat 2-1-58
Pittsburgh, Pa

Segregation Commission Urges Repeal of School Attendance Law

Constitution, Atlanta, Ga. Sat. 1-11-58

p. 1

The powerful Georgia Commission on Education Friday urged repeal of Georgia's compulsory school attendance law.

The proposal may become the 1958 General Assembly's hottest issue because of its possible widespread repercussions on the Minimum Foundation Program.

Commission member Frank Twitty, former House floor leader and now Mitchell County representative, estimated school enrollment might drop by 25 per cent if repeal is approved.

The school attendance law was the main subject under discussion at a meeting of the pro-segregation Commission on Education in the governor's office Friday.

Gov. Griffin told members that repeal is necessary if the state is to be in a "clear cut, sound position in court" in the event of integration suits.

By BRUCE GALPHIN

Last year the commission recommended repeal of the attendance law, but the proposal ran into such opposition in the General Assembly that it was amended to allow the governor to suspend the law when he deemed it necessary.

Attorney Robert Sapp of Brunswick said he doubted whether the governor is constitutionally able to suspend a criminal statute. The existing attendance law may render all the other segregation laws invalid, Sapp declared.

Former Congressman John Wood said the commission would have to decide "which is the greater evil: repeal of the forced attendance law or having mixed schools."

If repeal of the compulsory attendance law resulted in any sizeable drop in school enrollment, it could have considerable effect on county school finances.

State aid to schools is distributed on a basis of average daily attendance.

Commission executive secretary T. V. Williams Jr. suggested that formulas could be redrawn so that funds would be determined on a basis of population density rather than average daily attendance.

Such a plan would hit growing systems which presently have funds refigured every school term.

Roy Harris of Augusta asserted that school systems will "lose money, but they'll save some. They won't have to spend so much."

Twitty and former GEA president Harvey Cutts of Greenville offered most of the opposition to repeal within the committee.

Constitution

Twitty said he believed the present law is adequate, and Cutts said that "the net effect of the compulsory attendance law has been good."

P. 8

But Cutts voted for repeal along with House Speaker Marvin Moate of Hancock County, Harris, Sapp, University Chancellor Harmon Caldwell, John Sammons Bell, Lt. Gov. Ernest Vandiver, State Board of Education Chm. George P. Whitman Jr. and Rep. Battle Hall of Floyd County.

Sat 1/11/58

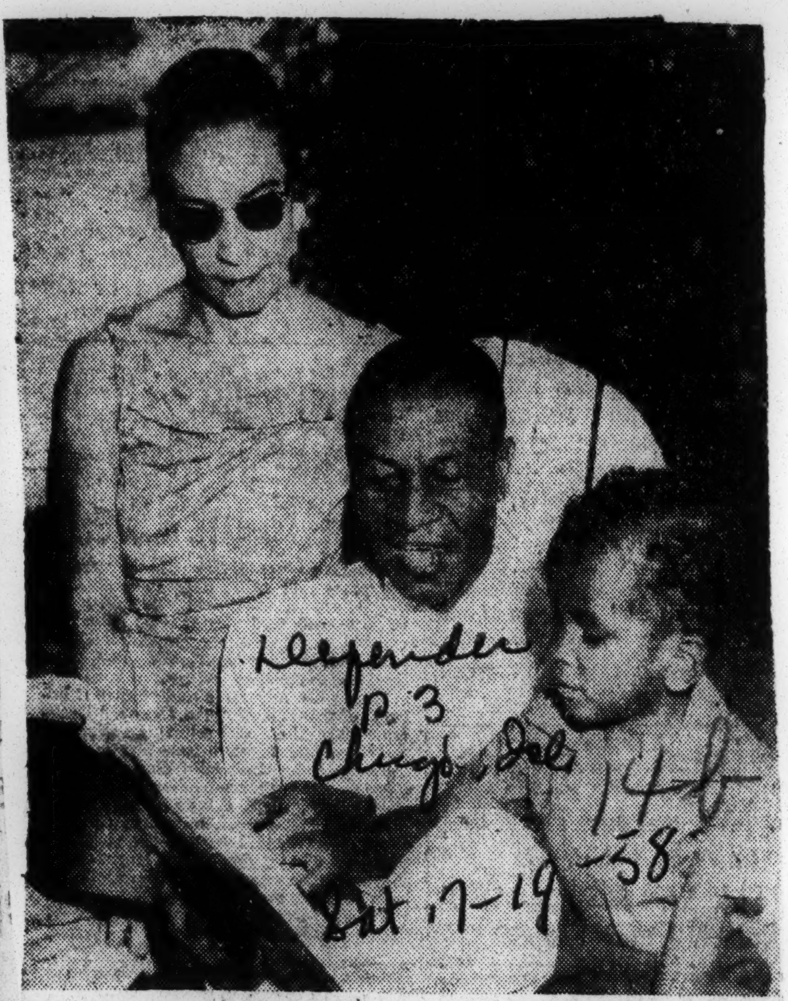
14b 1958

INTELLECTUAL LIFE CONFERENCE
ASSOCIATION OF AMERICAN COLLEGES

Atlanta World 14b

OFF TO NOVA SCOTIA MEET—Dr. and Mrs. C. V. Troup of the Fort Valley State College recently boarded a Delta Airlines ship at Woodrum Field in Macon en route to Nova Scotia. Dr. Troup was one of 15 Association of American Colleges and Universities presidents chosen to participate in an "Intellectual Life Conference" at Pugwah, Nova Scotia. The discussion emanated from fundamental ideas of such great books as Plato's "Apology and Crito, Machiavelli's "The Prince," Swift's "Gulliver's Travels" and DeTocqueville's "Democracy in America" in light of modern problems. The conference started July 9 and ended July 18.

Atlanta Ga.
Wed. 7-16-58
P. 1



Defender
p. 3
Chicago, Ill.
14b
Sat. 7-19-58

DR. AND MRS. C. V. TROUP of Fort Valley State College, read to their grandson, Kenneth, before departing for "Intellectual Life" conference sponsored by Association of American Colleges in Pugwash, Nova Scotia. President Troup is one of 15 college presidents chosen to attend.

14b 1958

INTERNATIONAL CONFERENCE OF AGRICULTURAL ECONOMISTS

To Visit India

Journal and Guide

Dr. F. A. Williams, dean of the Graduate School at A. and T. College, was this week awarded a travel grant to attend the International Conference of Agricultural Economists to be held in Mysore, India, Aug. 24-Sept. 4. P.14

1 Sec.

While in India, Dr. Williams will also study the country's community development, educational policies and practices and land problems.

Norfolk Va.

He will make the trip through assistance made by the Committee on International Conference Grants of the Social Science Research Council.

Sat, 3-22-58

Dr. Williams, a graduate of A. and T. holds the Ph.D. degree from the University of Wisconsin.

14b 1958

INSTITUTE FOR PUBLIC RELATIONS OFFICERS

College Public Relations Officers To Hold Institute

Daily World
Atlanta Ga
Thurs 1-9-58

CHARLOTTE, N. C. — An institute for college public relation officers will be held in Charlotte on January 17 Johnson C. Smith University will be host to the college officers.

P. 1 14b

Among the colleges to be represented are the following: Albany State College, Albany, Ga., A. & T. College, Greensboro, N. C.; Barber-Scotia College, Concord, N. C., Bennett College, Greensboro, N. C.; Fayetteville State Teachers College, Fayetteville, N. C.; Fort Valley College, Fort Valley, Ga.; Johnson C. Smith University, Charlotte, N. C.; Livingstone College, Sailsbury, N. C.; Morris Brown College, Atlanta, Georgia; Morris College, Sumter, S. C.; North Carolina College at Durham, N. C.; St. Augustine's College, Raleigh, N. C.; Savannah State College, Savannah, Ga. and Virginia State College, Petersburg, Virginia.

Among the topics the public relations officers will discuss are: "The Scope of College Public Relations," "Recruiting of Students," "Alumni Relations," "Publicity Through News Media," "Publications", "Fund-Raising," "College Advertising", and "What the Phesident Expects on His Public Relations Officers."

Moses S. Belton, Director of Public Relations at Johnson C. Smith University, is chairman of the Program Committee of the Institute.

Guests of Johnson C. Smith

Courier

College Public Relations Officers Meet in Charlotte

Pittsburgh Pa.
Sat 1-18-58

CHARLOTTE, N. C.—An Institute for college public relations officers will be held in Charlotte, Jan. 17. Johnson C. Smith University will be host to the college officials.

P. 10
14b

Among the colleges to be represented are: Albany State College, Albany, Ga.; A. & T. College, Greensboro, N. C.; Barber-Scotia College, Concord, N. C.; Bennett College. Greensboro, N. C.; Fayetteville State College, Fayetteville, N. C.; Fort Valley College, Fort Valley, Ga.; Johnson C. Smith University, Charlotte, N. C.; Livingstone College, Salisbury, N. C.; Morris Brown College, Atlanta, Ga.; Morris College, Sumter, S. C.; North Carolina College at Durham, N. C.; St. Augustine's College, Raleigh, N. C.; Savannah State College, Savannah, Ga., and Virginia State College, Petersburg, Va.

Among the topics the public

FORT PIERCE, Fla.—M
Courier writer, is still recupe
shoulder and shock received
The Courier Caravan overtu
Parkway.

• James Edward Johnson, her husband and driver of the vehicles, is awaiting a hearing on charges that he had failed to have the vehicle under control.

According to Mrs. Johnson, the accident occurred when the trail-

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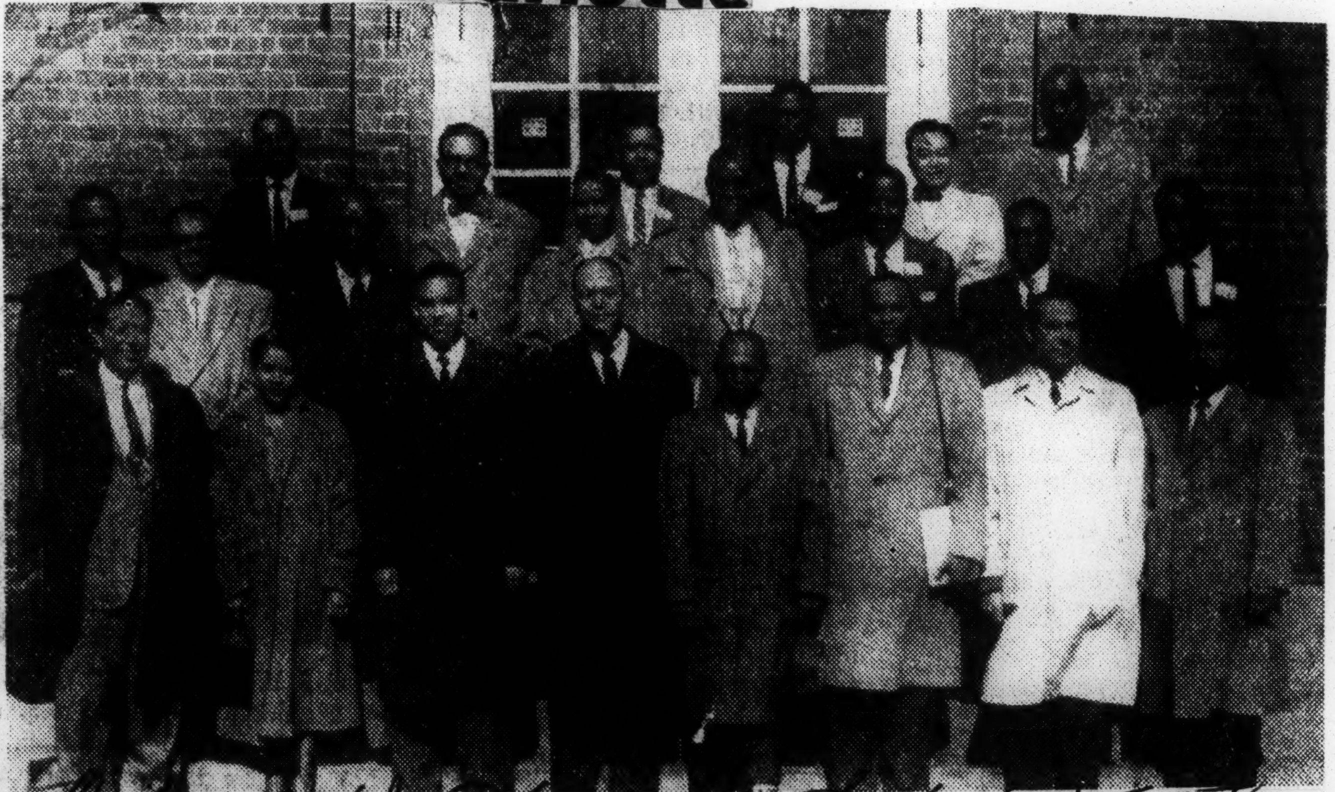

Daily World Atlanta Ga Sat 1-25-58

PUBLIC RELATIONS OFFICIALS ATTEND INSTITUTE AT JOHNSON C. SMITH UNIVERSITY — Left to right—Front row: E. F. Corbett, A. & T. College; Mrs. Sara J. Stewart, Johnson C. Smith University; Zack Weston, Benedict College; C. A. Ray, N. C. College; Moses S. Belton, Johnson C. Smith University; William L. Crump, Tenn. A. & I.; O. K. Beatty, Livingstone College; P. Anders, St. Augustine's College: Back Row: H. G. Dawson, N. C. College; B. F. Dabney, Va. State College; Elijah H. Gardner, Morris College; John W. Parker, Fayetteville State College; W. V. Harper, Tenn. A. & I. State University; Samuel Whiteman (visitor); C. W. Pettigrew, Albany State College; Prince Jackson, Jr., Savannah State; Gustee Brown, Morris College; W. C. Scott, Savannah State; Sankey C. Chao, Fla. Norman; Lafayette Parker, Fayetteville State; W. I. Gibson, Bennett College; and J. A. Tditty, Johnson C. Smith University.

P. 1
14b

14b 1958

JEANES SUPERVISORS (GEORGIA)

Supervisors Meet At A.U. February 6-8

14b

Members of the National Supervisors of Region One will be guests of the Georgia Jeanes Supervisors at Atlanta University February 6-8.

World P. 1

Miss Eldora Hayes, president of the Jeanes, has announced plans and a tentative iteinerary for the meeting which will be attended by representatives from Georgia, Florida, Tennessee, Missouri and Kentucky.

Thurs 1-23-58

Dr. L. E. Boyd will be the guest speaker at the opening session on Thursday. Friday morning the visitors will observe schools in Atlanta, Fulton and DeKalb Counties. The Atlanta University Jeanes will escort the visitors on a tour of the city in the afternoon and a banquet will be held Friday night in the Atlanta University Dining Hall where Dr. C. V. Troup will speak. Group discussions and business session will be Saturday morning.

Atlanta, Ga.

College Deans And Registrars To Meet At S. Carolina State

14b

World P. 1

Thurs 2-6-58

Atlanta Ga

ORANGEBURG, S. C.— (ANP) —The 32nd annual conference of the National Association of Collegiate Deans and Registrars will be held at South Carolina State College, March 18-21.

Approximately 100 collegiate deans and registrars representing institutions of higher learning in 20 or more states are expected to attend the four-day meeting.

The program planning committee has invited many outstanding administrators and educators to participate in the discussions that center around the general theme "Vital Needs in Present Day Education.

One of the highlight features during the conference will be a tour to Charleston, S. C., on Thursday, March 20. On arrival at Charleston a sightseeing tour of the schools and parts of old and new Charleston will be made. A luncheon at Bonds-Wilson high school in North Charleston will follow the sightseeing tour.

Roy Armstrong, president of the American Association of Collegiate Registrars and Admission officer, University of North Carolina will be discussion leader of a panel on the topic "Selection of Students for Post-High School Education" at Bonds-Wilson high school following the luncheon.

Other members of the panel include William Brown, director, bureau of educational research, North Carolina State College at Durham, John F. Potts, president, Voorhees Junior College, Denmark, S. C., and Harry B. Rutherford, principal, Booker T. Washington High School, Columbia, S. C.

Atlantans Stand Out At Deans, Registrars' Meet

Daily World P. 5

Atlanta Ga

14b

Thurs 3-27-58

ORANGEBURG, S. C. — In a challenging message climaxing the four - day sessions of the thirty second annual conference of the National Association of Collegiate Deans and Registrars held at South Carolina State College March 18-21, Dr. Paul I. Clifford, Registrar Atlanta University urged re-thinking and re-evaluation of personal and academic values.

Closing his address on the subject "The Improvement of the Quality in Collegiate Education" he said "I sincerely hope that some of the things which I have said this afternoon have disturbed you equalibrium to the degree, that all of us, students, faculty, and administrators will re-think and re-evaluate our personal and academic values to the end that each of us will discharge with vigor, our responsibilities in improving the quality of our college education."

New officers of the association elected after the report on nomination Friday morning are President James R. Smothers, Jr., Registrar Fisk University, Nashville, Tenn.; First-Vice President, C. W. Norris Dean - Registrar, St. Phillips College, San Antonio, Texas; Second Vice President, Foster T. Payne Dean, Shaw University, Raleigh, N C.; Secretary, Edwin M. Thorpe Registrar, Florida A. & M. College, Tallahasee; Asst. Secretary Miss Frances E. Clark, Registrar, Knoxville College, Knoxville, Tenn. Treasurer, J. J. Hedgemon, Registrar Southern University, Baton Rouge, La.

For the 1958-1959 Executive Committee Dean T. E. McKinney, Johnson C. Smith University, Charlotte, N. C.; Dean-Registrar David H. Bradford, Kentucky State College, Frankfort, Ky.; Registrar Julia B. Duncan, Livingstone College, Sailsbury, N. C.; Dean O. B. Edwards, Oakland College, Huntsville, Ala.; Registrar Ralph Lee, Alabama A. & M. College, Normal, Ala.

Dean David H. Bradford, Kentucky State College, Frankfort opened the session with his annual message. Dean Bradford discussed the national crisis in education and suggested means by which the quality of our institutions might be improved. These included (1) more selective admissions coupled wih improving secondary education, (2) raising the level of college instruction and (3) greater attention to the gifted student.

The second session centered around the academic, cultural, social, and moral qualities needed in college teachers. Dr. James P. Brawley of Clark College presented the President's point of view, while Dean John B. Cade of Southern University discussed the subject from the prespective of a college dean. Both President Brawley and Dean Cade identified qualities which they considered desirable in the overall behavior and attitudes of college teachers. Considerable discussions centered around a set of expectations which President Brawley identified as a set of principles to which faculty and staff members of Clark College are expected to subscribe.

A symposium concerned with qualifying students to meet requirements of standardized testing comprised the third session. Participants included Dr. Warren G. Findley of the Atlanta public school system, Dr. Herman Branson of Howard University and Dr. Nettie P. Parler South Carolina State College. Dr. Findley indicated that one of the major values of standardized testing in the assurance which the user of such tests has that extreme care and technical skill have gone into the creation of these instruments. Another value identified by Dr. Findley was the use of such test data in terms of intra and inter - institutional comparison. The results of the 1955 of Learning and Teaching in the Atlanta Public Schools were presented in the forms of graphs which were explicated by Dr. Findley.

At Biennial Conference

14b

Informer

Houston, Texas

Sept 18 58

The National Association of Jeans Supervisors and Special Service Teachers take time out in their three day Region III Biennial Conference to pose for the TSU photographer. Mr Emanuel Campbell (extreme left, front row), who is Chairman of Workshops and Special Projects at Texas Southern University was the liaison for the University.

p. 13

Mrs Marie T Carter (third from left, front row) is president of Region III, NAJS. Photo by Evans

Reports On Business Teachers Convention

Call P 12 Kansas City, Mo.
Fri 1-10-58

MARSHALL, Texas. — Mrs. Charles Wilder Wilson, business teacher at H. B. Pemberton Junior and Senior high school attended the 60th annual convention of the National Business Teachers association at the Statler hotel, Detroit, Mich., Dec. 26-28. Mrs. Wilson is a graduate of Pemberton high school and Wiley college.

The theme was "Opportunities For Growth In Business Education." Registration, Thursday 9 a.m. to 5 p.m.; exhibits 1 p.m. to 6 p.m., and tours 1 p.m. to 5 p.m. Tours of historical places of the city and the Chrysler, General Motors and Ford corporation were made

140

Opening address "Education For Freedom—Our Greatest Responsibility," was given by Thomas Reid, director of civic and governmental affairs, for a car company.

All new members and friends attending NBTA for first time were introduced. An informal reception and dance was held in the grand ballroom of the Hotel Statler with special entertainment by Frank Long, social director of a national dance studio.

MRS. CHARLES W. WILSON

Friday morning sectional meetings were held, the secondary schools department had two speakers: "What's New In Business As It Affects The Total Curriculum," Peter Agnew, head of business education, New York university and "What's New In Education To Meet Changes In Business," by John C. Frakes, supervisor of business education, Cleveland public schools, Cleveland, Ohio.

Friday afternoon the sectional meetings were continued. The secretarial round table had two speakers: "Neglected Factors In Transcription," Charles Zoubeck, from a noted publishing house in New York, and "Cues For The Improvement Of Production Typing," by D. D. Lessenberry, University of Pittsburgh.

Saturday morning the seventh annual Problem clinic was held, W. C. Clark, chairman.

Mrs. Wilson attended sessions on Problems of the First Year Teachers, Problems of Teaching Proper Attitudes for Young Office Workers, and Problems of Teachers of High School Typewriting.

The annual NBTA banquet and dance was held at 6 p.m. in the grand ballroom of the Statler hotel, Mr. Kirkpatrick, president of the convention was toastmaster. The banquet address was given by George W. Crane, Ph.D., M. D., psychologist, author, columnist, lecturer on "Why Progress Depends On Business Education."

Mrs. Wilson reports that the meeting was very educational and informative. The NBTA will told its annual meeting for 1958 at the Palmer House hotel, Chicago, Ill. Mrs. Wilson plans to attend.

14b 1958

NATIONAL CONFERENCE OF THE ASSOCIATION FOR SUPERVISION AND
CURRICULUM DEVELOPMENT

Miss Graye Attends Two NEA Meets

Journal & Guide

Norfolk Va

Sept 27

HIGH POINT, N. C. — Miss Mytrolene L. Graye, principal of Fairview Elementary School, High Point, attended the Thirteenth National Conference of the Association for Supervision and Curriculum Development (ASCD), a department of the National Education Association, in Seattle, Washington.

Her special task assignment was with a Study-Discussion group exploring aspects of "Science in the Elementary School", a sub-topic taken from the general conference theme: "Curriculum Planning For The Years Ahead."

* * *

MISS GRAYE holds Comprehensive membership in this National Organization

She also attended the National Conference of the Department of Elementary principals (DESP) of the National Education Association, held in Philadelphia, Pa.

* * *

HERE SHE worked with other administrators from all parts of the country in discussing aspects of the conference theme: "Today's Education For Tomorrow's Citizens." Her special assignment at the conference was with a section on a Study Group dealing with "The Flexible School."

14b 1958 NATIONAL STUDENT CONGRESS

Dixie's Students Back Integration

Commercial Appeal

Intermarriage Is Also OK'd At National Rally

Memphis Tenn.

NORTH CAROLINA CITED

Sat 8-23-58

By United Press International

DELAWARE, Ohio, Aug. 22.—Racial integration was one of the major issues discussed Friday at the United States National Student Association meeting at Ohio Wesleyan University.

Southern students attacked the attitudes of Southern legislators and other white adults and went on record in favor of integration.

Gary Green, 20 of Spindale, N. C., a white student at North Carolina University, said his school has been desegregated since 1955. He said about 50 Negroes are enrolled.

P. 3

Racial desegregation came first in the classrooms, Green said, and then in the dormitories.

Examinations Are Bar

He added that North Carolina's entrance examinations, begun in 1955, may keep some Negroes out of the school. But he favors examinations because they insure a higher quality of students.

Green added that the campus newspaper has taken a strong stand against segregation, and added that he feels students in the South are move advanced in thinking regarding desegregation than are the university administrators and other white adults.

Green also said he favors interracial marriage. He said North Carolina State University students last year sent a resolution to the State Legislature demanding that the state law against intermarriage be abolished.

He said this action brought strong criticism from legislators and other Southerners.

For Intermarriage

Green added, "If interracial marriage were permitted, it would enable some of the actions that have been occurring for generations in the South to become legal rather than to continue to occur in back alleys."

Charles Jones, 21, a Negro student who claims he can trace his ancestry to Andrew Jackson, said the general attitude at Johnson C. Smith College is that inter-racial dating and marriage are relatively unimportant issues to the Negro.

"Negroes consider equal opportunity in jobs and education far more important than anything else concerning desegregation," Jones said.

Student Group Votes Down Race Paper

[illegible]

[illegible]

Fri 8-20

DELAWARE, Ohio (AP) — Delegates attending the National Student Congress last night defeated a resoluion calling for segregation of schools.

The measure, originally planned to be a desegregation resolution, was renamed. It was presented by the five-member delegation from the University of South Carolina.

P. 1

In the vote by about 600 delegates, the resolution received less than 10 favorite votes.

The five-page resolution said that where the Supreme Court's decision to integrate schools has been enforcedee, the result has been the disruption of educational processes.

It further stated that the decision has created disunity in the United States, at a time when unity is critically needed, and has destroyed racial friendship in the South.

The Southern delegations, however, did not go along with the resolution.

In a debate before the vote, Dan Ellis of Tennessee asked if the racial amity (friendship) meant that one race was too good to associate with another.

Don Furtado of the Universiiy of North Carolina said the congress was not held to angue constitutional points. He said that in 1902 a North Carolina governor called for integration and that the actual achievement of that desire is coming 56 years larer.

U. S. Student Leaders Favor Integration

Canton

DELAWARE, Ohio — Student leaders from all over the country are in agreement in their belief that they favor integration.

Six youthful leaders, attending a national conference here to discuss key issues facing United States college students, agreed that integration should be a part of the American way of life.

Sat 8-30-58

Two of those questioned sharply criticized the South's approach to the integration problem. Two others went so far as to say that they favored interracial marriage. They called it a matter for personal choice.

P. 11

The students were among nearly 1,000 here for the 10-day session of the United States National Student Association's Congress to exchange views on the Ohio Wesleyan University campus.

Portland Ore.

Dixie Students Get A Lesson

Chicago Defender

Chicago, Ill.

ST. LOUIS — (UPI) — High school students from the deep South got lessons in integration yesterday from other delegates to the National Association of Student Councils meeting to convention here.

Sat 7-5-58

14

Gerald M. Van Pool, coordinator of activities, aid there were nine separate Negro student council groups in the South.

"A boy from one of them pointed out there was only one meeting room for his state and asked where his group would meet," Van Pool said. "I told him 'you meet with the rest of the people from your state.' "

P. 3

He said Negro delegates from Georgia wrote that the governor of Georgia had said Georgians could not attend integrated meetings.

He said he replied that while the Georgia governor made rules for Georgia he did not make rules for the National Association of Student Councils.

Van Pool added that a Negro student and adult sponsor from Georgia were present.

Southern Student Units Hit Pupil Segregation

Star

DELAWARE, Ohio, Aug. 25 (AP).—A group of Southern delegates at the National Student Congress has issued a declaration condemning school segregation.

P. A8

"Though we are proud of the Southern community's way of life," the declaration said, "we do not feel that a system that denies equal opportunity to some Southern citizens is either necessary or desirable as a part of that way of life."

Washington D.C.

The declaration was approved last night, 33-1, by edelgates from the Carolinas-Virginia Region and unanimously by Mason-Dixon region delegates. The latter region includes Maryland, West Virginia and the District of Columbia.

Mon 8-25-58

The Student Congress is the policy-making body of the National Student Association, which has 360 member colleges broken down into 19 geographical regions.

Other Groups Meet

The colleges represent 1 million students.

The "declaration by Southern student leadership on desegregation" is scheduled to be before three other Southern regions for a vote of approval sometime this week, possibly tonight.

The 10-day Student Congress will be in session through Friday at Ohio Wesleyan University here. About 1,000 delegates are attending.

The declaration approved by two of the five Southern regions says that delegates are in complete agreement with an NSA resolution on desegregation. The latter says that segregation and education by race is incompatible with human equality.

"We also realize that segregation in education is now unconstitutional and is at cross-purposes with the American way of life and body of law," the declaration continued.

Campaign Planned

"We further declare that until this system of enforced inquality of opportunity is finally dissolved, the true qualities of dynamic regional progress, which are the true keynotes of the Southern way of life, cannot come to fruition.

"We are personally opposed and will work to defeat all actions, legislative or otherwise, which in effect frustrate and prevent the obligation and right of local communities to progress toward compliance with the decision of the Supreme Court.

"We do also stand unalterably opposed to any demagoguery or attempts to use the highly emotional issue of desegregation for personal, social, financial or political gain."

The lone dissenter in the Carolinas-Virginia region delegation was not identified.

Students Discuss Race Integration

DELAWARE, Ohio — (UPI) — Racial integration was one of the major issues discussed Thursday at the U.S. National Student Assn. meeting at Ohio Wesleyan university.

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Gary Green, 20, Spindale, N. C., a white student at North Carolina university, said his school has been desegregated since 1955. He said about [illegible] Negroes are enrolled.

Racial desegregation came first in the classrooms, Green said and then in the dormitories.

He added that North Carolina's entrance examinations, begun in 1955, may keep some Negroes out of the school. But he said he favors exams because they insure a higher quality of students will enter.

Green added that the campus newspaper has taken a strong stand against segregation, and added that he feels students in the South are more advanced in thinking regarding desegregation than university administrators and other white adults.

Green also said he favors interracial marriage. He said North Carolina State university students last year sent a resolution to the state legislature demanding that the state law against inter-marriage be abolished.

He said this action brought strong criticism from legislators and other southerners.

Green added, "if interracial marriage were permitted, it would enable some of the actions that have been occurring for generations in the South to become legal rather than to continue to occur in back alleys."

Charles Jones, [illegible], a Negro student who claims he can trace his ancestry to Andrew Jackson, said the general attitude at Johnson C. Smith college is that interracial dating and marriage are relatively unimportant issues to the Negro.

"Negroes consider equal opportunity in jobs and education far more important than anything else concerning desseggregation," Jones said.

Arlee Rosenberg, 20, Saginaw, Mich., said interracial dating is not prohibited at Central Michigan college, but added that it is discouraged. Miss Rosenberg said she could not approve of interracial marriage for herself.

"I believe the North is more prejudiced toward Negroes than the South," she said. "But it is a different way. The North is more hippocritical toward the Negro."

Ray Farabee, 25, Wichita Falls, Texas, the USNSA President, said, "I believe racial segregation is morally wrong. Border states have made progress. But many southern states are failing to face the problem. There is a tendency in the South to generalize.

"Each should be judged as an individual."

Defender P1
Chicago
Sat
8-30-58

Chicago
Defender
Sat 8-30-58

P. 21
Sat. 11-58

NEW OFFICERS of the North Carolina Agricultural Teachers Association elected last week the annual conference held at A&T College are shown from left to right: (seated) Turner Battle, Littleton, secretary; J. L. Faulcon, Ahoskie, president and H. Fred Simons, Pantego, vice president. Those standing are· E. S. Quick, Lumber Bridge, sergeant-at-arms; R. D. Smith, Chapel Hill, parliamentarian and W. J. Walls, Tabor City, chaplain.

WORLD WIDE CONFERENCE OF EDUCATORS
ROME, ITALY JULY 31-Aug. 7, 1958

Dr. Trenholm will attend Rome parley

Birmingham News
Birmingham, Ala.

WASHINGTON, July 19—Dr. H. Councill Trenholm of Montgomery will be among the National Education Assn. delegates to attend a world-wide conference of educators in Rome, Italy, July 31-Aug. 7.

Sun. 7-20-58
P. 1 B

Dr. Trenholm is executive secretary of The American Teachers Assn.

Delegates from more than 35 countries are expected to attend sessions at the seventh annual conference of the World Confederation of Organizations of the Teaching Profession.

Forms of public support for education in the free world will be discussed by the delegates.

14c 1958 AMERICAN CONSCIENCE FUND

Ernest Green Awarded 1st American Conscience Fund Scholarship; Iowan Named

14c

The National Scholarship Service and Fund for Negro Students has granted the first supplementary scholarship award from the American Conscience Fund to Ernest Green, the first Negro graduated from Central High School in Little Rock, Arkansas.

"This award, together with 52 similar awards totaling about $17,000 were made available this year to outstanding Negro high school seniors," John U. Monro, Chairman of the Trustees of the Supplementary Scholarship Fund of NSSFNS and Director of the Financial Aid Office at Harvard, announced today.

"These awards," Mr. Monro said, "are going to students from 21 states including 11 in the south and the District of Columbia. They are the final link in the chain of financial assistance needed over and above college scholarships, family contributions, and the students' earnings and savings.

"Ernest Green, for example, has already received a full tuition scholarship from Michigan State University. The American Conscience Fund award will provide for all his other expenses not covered by his summer earnings and his family contribution."

The only student winning from Iowa was Rebecca S. Fergeson, of Waterloo. She will be attending Grinnell College, at Grinnell. In addition a winner from Mississippi, Carolyn Y. Williams of Greenwood, has chosen to attend Briar Cliff College, in Sioux City.

Bystander
P1
Des Moines
Iowa
Thurs. 7-17-58

ACADEMIC DEANS OF AMERICAN COLLEGES

Courier

SELECTED—Dr. Charles W. Orr, director of instruction at Alabama A. and M. College, is among 35 academic deans of American colleges selected to attend an institute on administrative matters at Harvard University, Jan. 11-17.

Pittsburgh Pa.

Sat 12-27-58

14c 1958 BETHUNE FOUNDATION

$58,000 in Bethune fund

Afro American

Sat. 4-5-58

By GLADYS P. GRAHAM

BROOKLYN, N.Y. — Alpha Chi Phi Omega's fund for the Bethune Foundation has reached $58,000 p. 11

Report was made at the annual breakfast of Beta Phi Omega Chapter, held in St. George Hotel, here, Sunday.

14c

The 11-year-old organization, whose membership is composed of beauticians, has 99 chapters throughout the country. Bethune Cookman College, Daytona, Fla., is its special project. Mrs. Lucille Roberts Schuler is president of the hostess chapter.

June L'Rhue, columnist, presented the Hon. Jane M. Bolin, Domestic Relations Court Justice, who was speaker at the breakfast.

Baltimore, Md.

JUDGE BOLIN, the first of her race in the U.S. to be appointed justice, traced the emancipation of women from Colonial days to present in a scholarly message.

In addition to other program participation a feature of the Beta Phi Omega breakfast was the presentation of service awards to some 35 State licensed beauticians and teachers which was followed by a unique fashion show headed by Mrs. Susie Seymour.

The event brought women together from all over the Eastern Seaboard and all boroughs of New York.

14c 1958

BRUKENFELD FAMILY FOUNDATION

Morris Brukenfeld, Realty Man, Dead; Set Up Philanthropic Foundation in '51

Times New York p. 2

F.M. 3-14-58

Special to The New York Times.

PALM BEACH, Fla., March 13—Morris Brukenfeld, real estate operator and philanthropist, died of a heart attack yesterday in his home here. His age was 79. He also had a home in Lawrence, L. I.

Beginning in the Nineteen Twenties, Mr. Brukenfeld was active in real estate here and in New York, handling industrial and business properties. He was a prime mover in the erection of the Worth Avenue shopping center here and built and owned the Worth Arcade in the center. He had been semi-retired for the last few years.

14c

In 1951 Mr. Brukenfeld established the Brukenfeld Family Foundation, 15 West Thirty-eighth Street, New York, for the purpose of administering his many benefactions. The next year, on Nov. 2, the golden wedding anniversary of Mr. Brukenfeld and his wife, Mrs. Sarah Sacks Brukenfeld, they announced that the foundation would distribute $250,000 to charities, church and educational organizations of the three major faiths and other non-sectarian groups. Since then the foundation has given approximately $250,000 more to various institutions.

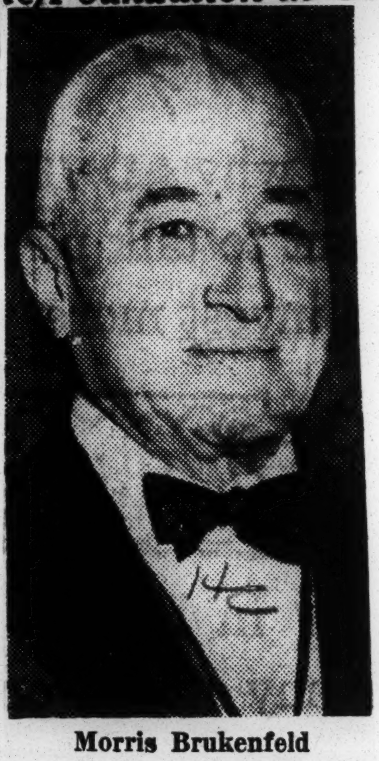
The couple celebrated their golden wedding with a reception and dinner at the Pierre Hotel in New York and received a congratulatory note from President Harry S. Truman.

Mr. Brukenfeld was born in Vienna and was taken to New York as a child. While in his teens he began to work in the silk and velvet business. What little formal education he obtained was at night school.

He rose to be a salesman for manufacturers of velvet and silk goods. About 1907 he founded M. Brukenfeld & Co., velvet and silk jobbing firm, which he headed until he retired from it in 1936.

Mr. Brukenfeld had been a director of the Brooklyn Home and Hospital for the Aged and the Brooklyn Hebrew Orphan Asylum and a director of Temple Shaari Zedek, Brooklyn, where he formerly lived. He was a Mason.

Surviving besides his widow are two sons, M. Ronald of New York and Carl M. of Palm Beach; two daughters, Mrs. Robert B. Englandler of Lawrence and Mrs. Chester A. Hirsch of Long Branch, N. J.; three sisters, seven grandchildren and a great-grandchild.



Morris Brukenfeld

14c 1958

10 Colleges, 28 Hospitals Get Ford Foundation Funds In '57

Advertiser Montgomery Ala.
P6B
14c
Tues 1-7-58

Ford Foundation's annual report for 1957 lists 10 Alabama colleges and 28 hospitals which received payments on grants during the past year.

A University of Alabama graduate student was awarded a fellowship in business administration and economics for pursuit of doctoral work. The recipient was Rudolph A. White of Birmingham.

Colleges in Alabama receiving grant payments:

Huntingdon College, Montgomery, $93,500; Judson College, Marion, $32,500; Talladega College, Talladega, $50,000; Tuskegee Institute, $212,500; Spring Hill College, Spring Hill, $121,000; Stillman College, $36,000; Athens College, Athens, $27,500; Howard College, Birmingham, $160,500; Birmingham-Southern College, Birmingham, $120,500, and Miles College, Birmingham, $71,500.

Privately supported hospitals in the state receiving final grants and payments during the year were:

Montgomery — Jackson Hospital and Clinic, $20,800; Montgomery Tuberculosis Sanitorium, $42,500; St. Jude's Catholic Hospital, $31,050, and St. Margaret's Hospital, $32,750.

Birmingham—Birmingham Baptist Hospital, $81,650; Carraway Methodist Hospital, $61,400; Children's Hospital, $13,550; Jefferson Tuberculosis Sanitorium Society, $65,350; St. Vincent's Hospital, $51,750; Salvation Army Home and Hospital, $9,050, and "365" Crippled Children's Clinic, $25,000.

Mobile — Blessed Martin de Porres Hospital, $9,250; Mobile Infirmary, $77,600, and Providence Hospital, $40,200.

East Tallassee — Community Hospital, $8,950.

Enterprise — Gibson Hospital, $8,550.

Selma — Good Samaritan Hospital, $18,050.

Opp — Mizell Memorial Hospital, $8,650.

Talladega — Citizens Hospital, $17,050.

Tuskegee Institute — John A. Andrew Memorial Hospital, $31,950.

Ensley — Holy Family Hospital, $12,100.

Fairfield — Lloyd Noland Hospital, $61,900.

Florence — El Reposo Sanitarium, $5,000.

Gadsden — Baptist Hospital, $24,900; Holy Name of Jesus Hospital, $40,100.

Huntsville — Huntsville Hospital, $26,150.

Langdale — George H. Lanier Memorial Hospital, $21,950.

Sheffield — Colbert County Hospital, $18,950.

Receiving final payment against an accomplishment grant was Birmingham-Southern College, with $84,500.

Ford Donates $75 Million In 21 Years

14c

NEW YORK — The Ford Foundation has made grants totaling $75.8 million in its 21-year history to organizations and individuals in the State of Illinois.

The summary was given in a booklet published, the latest in a series covering Foundation activities in various states from 1936, when it was established, to September 30, 1957.

Defender
Sat 2-1-58
Chicago Ill

The largest single series of grants for activities exclusively within the state was $19.6 million to help raise faculty salaries in 36 private colleges and universities. Next was a total of $14.4 million in grants to help 205 Illinois voluntary, nonprofit hospitaes to improve and expand their services.

For its national program, the National Merit Scholarship Corporation, with headquarters in Evanston, received a $20 million grant.

The vast majority of the grants were made since 1950.

Ford Foundation Gifts Go Beyond Billion Mark

News & Observer
Raleigh N.C.
14c
Mon. 1-13-58

NEW YORK, Jan. 12 (UP)—The Ford Foundation, the world's richest philanthropic organization, announced today it has given away more than a billion dollars of the fortune Henry Ford built with his tin lizzie.

The $2,500,000,000 foundation established by the late Henry Ford and his late son, Edsel, in 1936, made grants and appropriations totaling $83 million during the fiscal year that ended last Sept. 30.

The largest single grant was $24,500,000 to expand nationally the Woodrow Wilson Fellowship Program to combat the shortage of college teachers.

Securities Income.

Grants are made from income from Ford Motor Co. stock and other securities.

But the allocations also included much smaller sums, such as $6,400 to the American Council on Education to survey its Washington international center and $5,000 to the National Council of Women of the United States for the visit of a group of international women leaders to the United Nations.

While new grants and appropriations totaled $83,000,000 during the 1956-57 fiscal year, the foundation said, total payments to grantees in the period reached $345,200,897, as compared with $292,029,222 in the previous 12 months. The payments included grants made in earlier years and marked completion of the $500,000,000 appropriations for colleges, medical schools and hospitals launched in 1955.

$83 Million Made In Grants By Ford Foundation In 1957

14c

NEW YORK —(INS)— The Ford Foundation reported Saturday it made new grants and appropriations totalling $83 million during the last fiscal year.

Daily World
P1

The foundation's annual report, released covers the period October 1 1956, to September 30, 1957.

Actions during that period brought to more than one billion dollars the total grants and appropriations since the foundation was established in 1936.

Wed. 1-15-58

SHORTAGE OF TEACHERS

The largest single grant during 1957 was $24.5 million to expand the Woodrow Wilson Fellowship program to combat the shortage of College Teachers.

Atlanta Ga.

Henry T. Heald, completing his first year as president of the foundation, said in the report:

"The cornerstone of the foundation's philosophy and program is the belief that through education society can realize its fullest potential for material abundance, intellectual enlightenment, and moral growth."

HIGHER EDUCATION

He added "Higher Education is beset by financial difficulties greater than those of any other period in American History."

He cited as pressures on higher Education the larger number seeking education, the demand for more years of Education, the expanding fund of knowledge, and the United States' role as leader of the free world.

The year was marked by the ascendency of some foundation programs and the completion of others.

Programs were started in youth developments, problems of the aging, and in science and engineering. The foundation's program in education was reorganized with the entry of the fund for the advancement of education in the foundation itself. The fund was established by the foundation as an independent organization in 1951.

Among those programs concluded as was the TV-Radio workshop, producer of Omnibus.

Also includied were the programs for college-faculty salaries, extension of services in private, voluntary hospitals and improvement in 45 privately controlled medical schools.

$83 Million Made In Grants By Ford Foundation In 1957

World p. 1 B [illegible] Sat 1-18-58

14c

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Jazz Study Among Ford Grant Items

Post Times Herald

14c

NEW YORK, April 3 (UP) The Ford Foundation today announced grants totaling $2,666,958 for educational and cultural projects, including a history of American jazz and the development of lightweight theatrical scenery.

P. B6

The Council for Financial Aid to Education received $375,000, to be used in a 5-year program aimed at stimulating corporation giving to higher education.

Washington DC

The American Council on Education received two grants totaling $350,000 for programs on critical educational programs and the development of educational television channels.

Fr 4-4-58

Tulane University was given $75,000 for a 5-year project to collect historical records related to early American jazz. One of the major phases of the project will be the making of tape-recorded interviews with survivors of the 1885-1917 New Orleans jazz period.

A total of $40,000 went to the New England Opera Theater for a one-year experiment in developing light stage sets.

Among the other grants were: National Fund for Medical Education, $1,305,374 for financial aid to medical schools; Presbyterian Church in the United States, $25,000 for a study of a curriculum for a new college in Florida; Teachers Insurance and Annuity Association of America, $393,534, to support a program to extend medical and disability coverage to collegiate and other education groups; University Presses Program, $301,730, for scholarly publications in the humanities and the arts by University Presses at 30 institutions, and Educational Television and Radio Center, $98,000 to study the longterm financing of a national TV program service.

HIGH SCHOOLS IN ILLINOIS GET FORD GRANTS

Chicago Tribune

Chicago Ill.

Mon. 7-7-58

P. 25

Experiments Aimed at Best Teacher Use

[Chicago Tribune Press Service]

New York, July 6—Fifteen communities in Illinois, along with communities in seven other states, will share a $350,000 grant by the Ford Foundation to support experiments aimed at more effective use of teachers, it was announced here Sunday.

14c

The grant, made to the National Association of Secondary School Principals, will help finance experiments in public secondary schools. The over-all purpose is to improve instruction by making best use of the ablest teachers, and to relieve the teacher shortage.

Projects in seven other states — Indiana, California, Colorado, Massachusetts, Minnesota, Texas, and Utah—also will be aided by the grant.

Beecher to Get Funds

The Beecher community school district in Will county, Ill., will get funds for experiments already under way involving wider use of the school library. Beecher has a population of 956.

Other Illinois beneficiaries are Arlington Heights township school, Glenbrook high at Northbrook, Leyden Community high at Franklin Park, the University of Chicago laboratory school, J. Sterling Morton High at Cicero; University of Illinois High school at Urbana: Matton, Taylorville, Urbana, Springfield, Wilmington, and Newark high schools; Lakeview high in Decatur, and Pope county community unit schools.

Schools in East Included

Other grants announced by the foundation included $350,000 to New York university for experimental reorganization of classwork in Long Beach and Ossining, N. Y., both in the New York City suburban area; $140,000 to Yale university to recruit and prepare liberal arts students for public school teaching in a new program which gives master of arts degrees in teaching; $65,200 to Miami university, Oxford, O., to continue its explorations into college teaching via television and $112.000 to Goddard college, Plainfield, Vt., for experiments on use of college students as classroom assistants, and on techniques to improve science and mathematics teaching in rural Vermont.

14c 1958

FUND FOR REPUBLIC

Baptists Reject Slap At Fund for Republic

Deny Charges That 'Tainted Money' Is Used To Promote Racial Harmony

By GEORGE W. CORNELL
Associated Press Religion Writer

Courier Journal P 1 5-23-58 Louisville Ky.

Courier Journal P 18 5-23-58 Louisville Ky

Houston, May 22.—Charges that a Southern Baptist agency was using "tainted money" to promote racial concord were thunderously repudiated Thursday by the denomination's convention.

By a booming voice vote, about 12,000 messengers (delegates) slapped down a motion that they return a big cash gift made to their Christian Life Commission by the Fund for the Republic.

Jack Trammell, Selma, Ala., attacked the fund, saying it had been accused of giving aid to communism, and that "we ought not to accept any money that is tainted."

Touches Off Rebuttals

The move touched off a wave of rebuttals. The Rev. Reuben E. Alley, Richmond, Va., editor of a state Baptist paper, said he had investigated the charges thoroughly, and added:

"The fund . . . is absolutely and completely untainted by any relationship to Communist causes. There are no grounds whatever for these charges."

A fund gift of $15,000 to the commission, which works for racial harmony and other social improvements, has been widely criticized in Southern White Citizen Council organs.

Tells of Making Study

Half a dozen churchmen rose to defend the fund, saying it had been the target of scurrilous rumors, misinformation, and unfounded charges.

"There's nothing subversive about the organization," said the Rev. Fred L. Bell, Nashville. Like Mr. Alley, Mr. Bell said he had made a special study of the matter.

A new report by the commission, calling for strengthened "fellowship with people of every race," was overwhelmingly accepted by the convention Thursday after a flurry of debate.

The report denounced "social usages" that "deny basic American freedoms" to any citizen, and said "racial antipathy" at home has impeded missionary work abroad.

It urged stanch support for the public schools, and urged Baptists to "help and not hinder the progress of justice for all peoples."

The Rev. Montague Cook, Moultrie, Ga., assailed the document, saying its plea for racial fellowship was synonymous with integration. He provided the dictionary definitions.

He also maintained that the action would be construed by the public as representing the opinion of all Southern Baptists, although the convention has no power to impose policy on local churches.

Trying To Follow Bible

Replied the Rev. Adiel J. Moncrief, of St. Joseph, Mo., chairman of the commission: "We are endeavoring to follow the Bible, rather than the dictionary or press reports."

The convention must witness to Christian principles fearlessly, he said, adding:

"We are not living in a cloistered, sweet, contemplative life amid happy surroundings. On the contrary, we have espoused a militant, disturbing way of life—a dangerous way of life."

The report also condemned the liquor trade, and "traffic throughout the nation in pornography and obscene literature," and called for steps to curb it.

14c 1958

FUND FOR REPUBLIC

Fund for Republic said Commie aid

BY MARTHA COLE

WASHINGTON, March 31—(AP)—Rep. Walter (D., Pa.) said today the fund for the republic has given "aid and comfort" to America's communist foes. He urged that its tax-exempt status be revoked.

News p. 9

Walter, chairman of the House committee on un-American activities, said the fund lacks "objectivity . . . to qualify it as a bona fide educational or scientific organization within the criteria established by the (internal revenue code for tax exempt organizations."

Mon., 3-31-58

HE WROTE SECRETARY of the Treasury Anderson on March 26, making the revocation suggestion and sending along a staff memorandum on an investigation of the fund. Walter's letter was made public today. The memo was not released.

The fund, set up by the Ford Foundation as a separate entity, accused Walter of waging a personal war on it.

Birmingham

IN HIS LETTER to Anderson, Walter said that for some time the committee staff has been trying "to determine whether this multi-million foundation is a friend or foe in America's battle against Communism," he added:

Ala.

"While the facts which have been developed do not establish that the fund for the republic is Communist controlled or influenced, it is clear that the fund activities en toto indict it as a hindrance in this battle."

The fund was established in 1952 with grants from the Ford Foundation totaling $15 million. It described itself as an independent, nonprofit organization.

As defined by the fund its purposes are to eliminate restrictions on freedom of thought, to promote the principles of individual liberty and equal opportunity, and to further a wider understanding of the Declaration of Independence and the Constitution, including its Bill of Rights.

Among the fund's chief targets, Walter said, have been congressional investigations of communism, government security procedures, loyalty oaths and regulation of immigration.

14c 1958

GUGGENHEIM FELLOWSHIP FOUNDATION

GUGGENHEIM FUND GIVES 322 AWARDS

Times 1:12

Grants Total $1,412,000—Fellowships Spur Research and Creative Activities

14c

Guggenheim Fellowship awards to 322 persons were announced yesterday. The total value of the grants is $1,412,000.

The awards are made to men and women, without distinction of race, color or creed, who have demonstrated the highest capacity for original research and artistic creation.

[illegible]

The John Simon Guggenheim Memorial Foundation, which makes the awards, was established in 1925 by the late Senator Simon Guggenheim of Colorado and his wife in memory of a son who died in 1922.

The 1958 totals of recipients and grant-value were less than the record totals of last year—when 344 persons received $1,500,000.

Mon. 4-28-58

The committee of selection for these awards consisted of Dr. George W. Beadle, Professor of Biology at the California Institute of Technology, Pasadena; Dr. Henri M. Peyre, Professor of French at Yale; Dr. Carol O. Sauer, Professor of Geography at the University of California, Berkeley; Dr. Edwin Bidwell Wilson, retired Professor of Vital Statistics, Harvard University School of Public Health, and Dr. Louis Booker Wright, director of the Folger Shakespeare Library, Washington, chairman.

The trustees of the foundation are Mrs. Simon Guggenheim, president; John C. Emison, Medley G. B. Whelpley, Charles Merz, Roswell Magill, Elliott V. Bell, Kenneth C. Brownell, Ernest M. Lundell Jr. and Henry Allen Moe.

W. C. Handy Fund Gets Added Gifts

Appeal 8-29

Total Of $7,104.20 Raised For Park Memorial

Memphis Tenn.

Nine gifts totaling $104.20 were added yesterday to the more than $7,000 previously raised for the W. C. Handy Memorial Fund.

Jesse H. Turner, cashier of the Tri-State Bank of Memphis serving as trustee of the fund to erect a monument to the late Professor Handy in the Beale Street park bearing his name, announced these contributions:

14c

Consolidated Contractors, $8.20; Canale, Glanker, Montedonico, Boone & Loch, $10; Hollywood Theater, $10; Anonymous, $1; Murdock Acceptance Corp., $25; Hugo N. Dixon, $10; General Outdoor Advertising Co., $10; Joseph F. Bledsoe, $10, and National Tea Co., $20.

Thurs 5-8-58

Contributions to the Handy Memorial Fund may be sent to the Tri-State Bank or to The Commercial Appeal at 495 Union

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Pledge $7,000 For Memorial To Handy

Courier 8-23

Pittsburgh, Pa.

Sat. 5-3-58

MEMPHIS, Tenn. — Three collecting units reported that more than $7,000 has been pledged or paid in cash to the fund to erect a memorial to the late W. C. Handy in the Beale Street park bearing his name.

14c

The Handy Memorial Fund was launched about four weeks ago. Proceeds from ticket sales to the Southern premiere of the Handy film biography, "St. Louis Blues," staged at the Strand Theatre, was $1,890.

Alpha Gamma Delta Chapter of Alpha Gamma Chi Sorority backed the New Daisy Theatre.

Success Of Handy Memorial Put In Hands Of Committee

By THOMAS MICHAEL

Appeal 8-

14c

An executive committee to bring the W. C. Handy Memorial Fund to completion was named yesterday by Mayor Edmund Orgill and County Commission Chairman David N. Harsh.

Wed 5-?-58

Its job will be to raise enough money to erect in Handy Park on Beale Street a suitable monument to the memory of this world-renowned composer who lived for a time in Memphis and who wrote some of the greatest of his never-to-be-forgotten blues near the park.

Members of the executive committee are Frank R. Ahlgren, chairman; Abe Plough, Bert Ferguson, [illegible] Goldsmith, Paul Zerilla, Hoyt Wooten, Lieut. George W. Lee, Jesse Turner, treasurer, Richard Lightman, Prof. Blair T. Hunt, Elmer Henderson, Clifton J. Gaston and Sam Hollis, Secretary.

Memphis Tenn.

Plan Memorial Show

Mayor Orgill and Mr. Harsh. who headed the original Memorial Fund Committee formed soon after Handy's death on March 28, will continue as honorary chairmen.

Lieutenant Lee, Mr. Ferguson, Mr. Wooten, and Henry Slavick will serve on a special committee to negotiate with radio and television networks and with artists to contribute their services to a Handy memorial show to aid the fund.

The minimum figure set for a suitable monument is $20,000. Funds contributed in excess of this amount will be used for a musical scholarship in the name of the composer. More than $7,000 already has been contributed.

Mr. Ferguson will explore the possibilities of a benefit show on radio station WDIA for the fund. Professor Hunt heads a committee to enlist help of Negro organizations.

Widespread Interest

A committee will be named later to decide on a suitable monument. Edwin C. Rust, director of the Memphis Academy of Arts, already has submitted a number of ideas on this.

Interest in paying lasting tribute to the composer of the St. Louis Blues and the Memphis Blues, and the real "Father of the Blues," spreads over the South as well as the Memphis area. Florence, Ala., was his birthplace and scene of his boyhood, and he lived for a while in Clarksdale, Miss., before coming to Memphis.

Contributions should be sent to the Tri-State Bank of Memphis at 386 Beale or to The Commercial Appeal at 495 Union. This newspaper will acknowledge all donations.

Negro Jaycees Plan Airathons For Handy Fund

The Memphis Negro Junior Chamber of Commerce, which spearheaded the recent face-lifting of Handy Park, yesterday prepared to go all out in raising funds to memorialize the Beale Street park's patron.

14c

With the co-operation of radio station WLOK and The Commercial Appeal, the Jaycees are completing plans for two day-long airathons to collect contributions for the fund to erect a monument to the late W. C. Handy.

Commercial Appeal 8-1

Radio station WLOK will devote its broadcasting facilities and talent from 9 a.m. to 7:15 p.m. Saturday—and again June 14—to request recordings. The station's disk jockeys, headed by Dick 'Cane' Cole, will dedicate musical numbers for $1 contributions to the Handy Fund.

The Jayceerettes, an organization of young Negro women devoting time and talent to its own and Jaycee civic and charitable projects, will man telephones to take request-number calls and operate a fleet of automobiles to collect gifts from telephone donors.

Wed 6-4-58

Elmer Henderson and Samuel Peace are cochairmen of the Jaycee Handy Memorial Fund airathon committee, with Miss Eleanor Addison heading the Jayceeretes. Other Jaycees working on the program are Onzie Horne, Willard Bell, Charles Horton, Major Haywood, Dedrick Brittenum, Sam Qualls, Dick Cole and Richmond Roberts.

14c

Memphis Tenn.

Gene Weil, WLOK general manager, said business houses are contributing gifts of merchandise to be awarded throughout the airathon.

Mr. Weil said musical numbers will be dedicated at $1 each, adding that a donor to the Handy Fund may, throughout the airathon, buy five minutes of radio time for $5, 10 minutes for $10 and so on to the bargain rate of $50 an hour. All proceeds will go to the fund to memoralize the "Father of the Blues."

Handy Fund Total Raised To $9,200

Commercial Appeal 8-21

Dresden Firm Joins Donors To Memorial

14c

Joining a growing list of contributors yesterday to the fund to erect a memorial here to the late W. C. Handy was Wharton Transport Co. of Dresden, Tenn., which donated $10.

Sat. 6-14-58

Cash and checks received to date for the memorial to the "Father of the Blues" totals $7,723.56. An additional $1,500 in pledges not yet paid boosts the total in cash and pledges to more than $9,200.

Memphis Tenn.

Checks may be mailed to the Tri-State Bank of Memphis, 386 Beale, custodian of the fund, or to The Commercial Appeal, 495 Union Avenue.

Boosters of the Handy memorial fund include Joseph C. Hazel of Waterbury, Conn., who writes Mayor Edmund Orgill that he is giving $10 to the drive. He sent along this "Tribute to W. C. Handy," which he penned:

"We're born, we live, we die,
"No matter who;
"There is some good we do—some bad,
"And that is true.
"Some light a candle in the dark,
"And there is light;
"The trodden paths of weary ones,
"Become more bright!
"What did he have, that some day would acclaim,
" 'Saint Louis Blues,' to rocket him to fame?"

Handy Is Assured Fitting Memorial

$5,000 Check From ASCAP Lifts Total In Fund To Near $14,000

(Picture on Page Two, Sec. II)

Commercial Appeal

"A fitting memorial to W. C. Handy is now assured."

Frank R. Ahlgren, editor of The Commercial Appeal and chairman of the Handy Memorial Fund Committee, said that yesterday when presented with a $5,000 contribution from the American Society of Composers, Authors and Publishers.

14c

Memphis Tenn.

The gift from ASCAP lifted to nearly $14,000 the amount on hand to erect a statue to the "Father of the Blues" in Memphis' Beale Street park bearing his name.

Letter Is Received

Thurs 6-12-58

Paul Cunningham, president of ASCAP with headquarters at New York, wrote Mr. Ahlgren. "It gives me great pleasure to forward the Society's check as a contribution to the W. C. Handy Memorial Fund which you and the good people of Memphis are erecting to his memory." The check was presented to the editor of the newspaper spearheading the drive to honor the late composer as a favorite son by Berl Olswanger, Memphis musician and ASCAP member.

8-1

The Society last November gave Professor Handy a testimonial dinner in New York one of the last public appearances the composer of "Memphis Blues" and "St. Louis Blues" made before his death in March. Mr. Cunningham was in charge of the dinner. On that occasion, President Eisenhower wired Mr. Handy:

"With talent and devotion you have added much to the culture of our land. As a unique expression of the spirit of your people, your music strengthens the unseen binds which unite mankind."

Mr. Cunningham wrote Mr. Ahlgren that ASCAP will compose a legend for a plaque to be mounted on the statue calling attention to Profesor Handy's pioneer membership in the Society.

He Would Be Happy

Mrs. Katherine Handy Lewis, daughter of the composer, wrote from New York simultaneously with receipt of the Society's gift:

"My father belonged to and loved the Society, and their love for him, we believe, was even greater, since they contributed $5,000 to help perpetuate his name in the city where he originated the blues. I know that he would be happy if the following were inscribed on the monument: 'Member ASCAP 1924.' "

When the composer died, The Commercial Appeal instituted the campaign for funds to honor Professor Handy with a monument in the city where he wrote his famous songs. This newspaper also co-sponsored with the Memphis Negro Junior Chamber of Commerce a Sept. 1 Blues of Glory tribute attended by top entertainment - world artists at Crump Stadium.

Lt. George W. Lee, Memphis Negro civic leader, is chairman of a Memorial Fund subcommittee charged with arranging for the exact form of the monument.

Independent College Foundation Given A Record Total of $121,851 In 1957

Courier Journal, Louisville Ky.

Watt Renamed As President

Fri 3-28-58

Special to The Courier-Journal

Lexington, Ky., March 27.—The Kentucky Independent College Foundation received a record $121,851 in contributions in 1957.

P. 13

This was reported at the group's annual meeting here Thursday. Robert M. Watt, Lexington, chairman of the board of Kentucky Utilities Company, was re-elected to his fifth year as president of the foundation.

Bruce Dudley, foundation executive secretary, reported there were a record 269 contributors last year.

The foundation was established in 1952 to solicit aid from Kentucky industry and business for eight private colleges—Union, Barbourville; Georgetown; Bellarmine, Louisville; Berea; Kentucky Wesleyan, Owensboro; Transylvania, Lexington; Villa Madonna, Covington, and Centre, Danville.

Ten days ago the foundation allotted $8,500 each—a total of $68,000—to the member colleges.

Other officers re-elected were David F. Cocks, Louisville, vice-president; E. S. Dabney, Lexington, secretary, and Merle E. Robertson, Louisville, treasurer. Trustees and executive committee members also were re-elected.

New trustees are Floyd I. Fairman, Lexington; Boyce F. Martin and Squire Ogden, both of Louisville; Charles Reesor, Somerset, and J. L. Bugg, Owensboro.

Liberian students arrive; technical training begins

14c

NEW YORK — The International Assistance Foundation, Inc., began its program of training foreign students in vocational and technical trades when Anthony A. Ricks and Frederich T. Gibson arrived from Liberia this week. They were welcomed at International Airport here by Edwin G. Jenkins, president of the foundation.

P. 7

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The two students are the first to arrive under tte auspieces of the IAF Inc. and are the recipients of two scholarships awarded by the Empire Lintoype School of New York where they will receive further training in the printing trade. Both Mr. Ricks and Mr. Gibson obtained their previous training in the Government Printing Office of Liberia.

A non-profit, non-governmental and non-sectarian organization, the International Asistance Fundation was established to aid Middle East, Asian, African and Central and South Americans countries by bringing qualified students to the states for vocational and technical training.

IN ITS program of "helping people to help themselves",, the foundation prepares a corps of technicians, in the U.S., for the vital technical and vocational trades so necessary to the economy of all nations.

The Foundation, proposes to these newly-emergent, underdeveloped governments the following procedures, that with their cooperation, it is ascertained first-hand the needs in skilled workers in accordance with each country's plans for economic development;

That they select the workers for training in American vocational schools and that they pay for the transportation of these trainees to and from the U.S. The foundation selects the most appropriate school for such training and maintains liaison with all trainees while in the U.S.

p. 17

Afro American
Baltimore Md
Sat 10-4-58

TO BEGIN TRAINING — The International Assistance Foundation, Inc., began its program of training foreign students in vocational and technical trades when Anthony A. Ricks and Frederick T. Gibson arrived from Liberia recently. They were welcomed at the airport in New York by Edwin G. Jenkins, president of the foundation. The first to arrive under the auspices of the foundation, both Mr. Ricks and Mr. Gibson obtained their previous training in the Government Printing office of Liberia.

Liberian Student's Arrive To Learn Vocational Skills

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p 6 14c

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10-9-58

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The Foundation selects the most appropriate school fo rsuch training and maintains liaison with all trainees while in the United States, in corporation with the consular agency concerned and our Immigration and Naturalization Services. On the other hand, the International Cooperation Administration proposes to pay the cost of maintainance of each deserving applicant they receive that I. C. A. does not cover.

It is the hope of the International Assistance Foundation that with the financial assistance of individuals, business, industry and labor, through their generous contributions to the Foundation, it will be able to train from many lands chinists, electricians printers, hotel management personnel, maradio technicians, plumbers and countless other types of workers. In this way, a much needed segment of the new nation's population can be trained to assume greater responsibility to the nations economy and to provide new channels for world trade.

All contributions or requests for further information should be addressed to the International Assistance Foundation, Inc., Newsweek Building, New York 36, New York.

10-9-58

14c 1958

NATIONAL FUND FOR MEDICAL EDUCATION

Medical Education Fund Established

NEW YORK — To help support the search for new medical knowledge and to increase the number of trained ~~medical researchers~~, the National Fund for Medical Education ~~has established a Medical Re-~~search Program through which contributions from united funds, community chests, voluntary health agencies and other organizations will be channelled into basic research, Fund President S. Sloan Colt announced yesterday.

The United Community Funds and Councils of America, whose local affiliates have expressed a desire to help support broad fundamental programs of basic medical research on a national level, have agreed to support this new research program.

It is our hope, Mr. Colt said, that the voluntary health agencies which have so generously supported the categorical research into specific diseases will also support this new program.

This expansion of the National Fund's program, Mr. Colt stated, will in no way affect its campaign among corporations to obtain support for the teaching budgets of the accredited medical schools in the United States.

Negro Education Is Advancing In South

News-Courier
Charleston S.C.

NEW YORK (AP)—Negro education in the South isn't on a par with white education, but the gap is being narrowed, a report of the Phelps-Stokes Fund said Tuesday.

14c

It detailed progress made in the first four years of a five-year, $450,000 program to improve Negro high school standards. The program was financed by the Rockefeller Foundation.

Thur 7-31-58

Dr. Frederick D. Patterson, president, told a news conference that the project has shown "there is no innate differences in the intelligence level between the white and Negro child in the South.

P. 10 A

"However, there is a difference in the level of achievement for which the project has found the cause. It is this — Negro schooling is inferior compared to what a white child or even a Northern Negro child receives."

The report dealt specifically with 16 Negro high schools in four states — Alabama, Georgia, Mississippi and North Carolina — where the project has worked to improve the educational program.

Dr. Aaron Brown, project director, said the academic standings of the students have been raised, resulting in better reading ability, greater use of school libraries, better school attendance and increased desire of students to go on to college.

"Student achievement in the Negro high schools has climbed to within the national norms of white pupils," he said.

He said t[illegible] these schools were [illegible] gro colleges to improve their teaching abilities. College officials and national authorities in the field also visited the high schools to help upgrade curricula.

"Once the intellectual level of Southern Negroes has been raised, it follows that the intellectual level of the Southern white will also rise," he said.

Patterson said the project revealed Negro high school students generally lack text books and frequently "used textbooks that are 10 to 20 years old and clearly outmoded.

"Negro schools do not have the money to purchase newer books."

NAACP Mourns Death Of Dr. Phelps Stokes

14c

Call

NEW YORK. — The passing of Anson Phelps Stokes, former president of the Phelps-Stokes Fund, evoked messages of condolence from Dr. Channing H. Tobias, NAACP Board chairman, and Executive Secretary Roy Wilkins.

Dr. Phelps Stokes was for many years a leader in interracial activities and in the promotion of educational opportunities for Negroes and members of other minority groups. He lived in Stockbridge, Mass.

P. 1 14c

In a telegram to his widow, Dr. Tobias, retired executive director of the Phelps-Stokes Fund, extended sympathy on behalf of the NAACP Board and of himself personally. Dr. Stokes, he said, was a good man, observant of every detail in Phelps-Stokes Foundation during his presidency and during his years on the board. I feel I owe him a great debt of gratitude. Mrs Tobias and I are with you and the family in this hour of bereavement."

Th. 8-22-58

The NAACP, Mr. Wilkins said in his message, views the passing of Dr. Phelps Stokes "with deep sorrow and wishes to extend to you and the entire family its expression of sympathy."

Kansas City

Helping the Negro Child

Journal 14c
P 8E
New York N.Y.

The progress report of the Phelps-Stokes Fund, issued several days ago, is encouraging for all who believe in the democratic process. It shows that the standards of Negro youth in the South can be improved through a program of mutual cooperation among schools, colleges and community leaders. With the aid of a $450,000 grant from the General Education Board of the Rockefeller Foundation the fund initiated a five-year project to help Negro boys and girls overcome the gap that now separates them from white students. Under the direction of Dr. Aaron Brown, and aided by a committee of seventeen prominent consultants, both Negro and white, the project has forged quietly ahead.

At the end of four years, Dr. Brown reports, the project shows signs of ultimate success. It also points the way to better race relations in the South, based on mutual cooperation and understanding. Four Southern states—Alabama, Mississippi, Georgia and North Carolina—are involved. In each the fund selected four typical high schools, with a total of 10,000 students, and teamed them up with Negro colleges. The college authorities examined the programs carried on by the high schools, and the consultants visited the sixteen schools, offering advice, recommending improvements.

Sun 6-10-58

The results are highly significant. The youngsters in the Negro schools are now closer to the academic "norms" for the nation as a whole. As Dr. Brown observes, if the academic gap can be narrowed the argument used by segregationists that Negro children are intellectually inferior falls to the ground.

The Phelps-Stokes project utilized all available community resources, including social agencies and libraries. The Negro boys and girls were taken on field trips to visit points of interest in and about their communities. They were made to feel that they belonged and were not an isolated minority. Many of the white community leaders helped the program. The implications of this cooperative spirit in the Deep South are warmly encouraging.

Dr. Ralph O. Lanier Heard In Address At AMTA This Year

Nashville Globe
Nashville Tenn

Fri 7-25-58

Dr. Ralph O'Hara Lanier, Special International Consultant and Project Director of the Phelps-Stokes Fund, New York City, gave the Keynote address to the 400 Officers and Delegates of the American Teachers Association attending their 55th Annual Convention at Bethune-Cookman College Sunday evening July 13th. In his address in Moore Gymnasium, Dr. Lanier challenged them to think seriously of their responsibility in leading those in their charge to take their places in the "world of tomorrow."

14c

Speaking from the subject, "The Impact of Color in A World Crisis," Dr. Lanier quoted the historical experiences of peoples and civilizations who had risen from slavery and oppression to ranks of power only to become more ruthless than their oppressors; and then reported on his observances in world conferences in Asia and Africa in recent years and months, among nations and peoples who have suffered under imperialism and colonialism.

The world traveler, scholar and consultant stated that America can only hold her own in the changing world today by giving out full democracy to all people. He told of the formation of Liberia by "Freed Slaves from America, which without arms, has retained its soverenignty and citied the attitude of present day African nations which declare for a spirit of "peace and cooperation", demanding self rule and independence.'

The speaker was interrupted by spontaneous applause when he told of the acceptance of a principleship in Philadelphia, Pennsylvania, by Dr. M. Wright, daughter of the R. R. Wright family in a school with a predominantly colored student enrollment. He advised the spirit of the teacher must be to qualify to do a first class job in better teaching, to prove their worth. He advised, under the present "Intercultural Trends," the caste and segregation of South Africa and other countires will soon fade away.

In his dicourse, Dr. Lanier repeatedly paid high tribute to the life work of Dr. Mary McLeod Bethune, not only in the founding of Bethune-Cookman College, but her general attitude and approcah in intercultural affairs of the United Nations.

Dr. Lanier observed that science, philosophy, biology and an elaborate diversified curriculum may or may not be required to help the student become a better citizen, which should be the ultimate goal of each member of the American Teachers Association; but urged preparation in these fields, as there is no barrier of color to opportunities for service throughout the world today for those prepared in them.

His Honor Mayor J. Hart Long of the City of Daytona Beach, brought greetings of welcome from the City Commission. Mr. John T. Smiley, Superintendent of the Board of Instruction for Volusia County, Dr. Royal W. Puryear, President of the Florida Council of College Presidents and Florida Normal Industrial College at St. Augustine; and Dr. Gilbert L. Porter, Executive Secretary of the Florida Teachers Association, also brought greetings.

South Seen Gaining In Negro Education

Washington Post

Washington, D.C.

NEW YORK, July 29 (AP)—Negro education in the South isn't on a par with white education, but the gap is being narrowed, a report of the Phelps-Stokes Fund said today.

Wed. 7-30-58

It detailed progress made in the first four years of a five-year, 450,000-dollar program to improve Negro high school standards. The program was financed by the Rockefeller Foundation.

P. A 21

Frederick D. Patterson, fund president, told a news conference that the project has shown "there is no innate difference in the intelligence level between the white and Negro child in the South.

14C

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Schools in Four States

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Aaron Brown, project director, said the academic standings of the students have been raised, resulting in better reading ability, greater use of school libraries, better school attendance and increased desire of students to go on to college.

"Student achievement in the Negro high schools has climbed to within the national norms of white pupils," he said.

He said teachers at these schools were sent to nearby Negro colleges to improve their teaching abilities. College officials and national authorities in the field also visited the high schools to help upgrade curricula.

Faulty Training Found

Through cooperation with the project, Negro college presidents in the South, have found areas in which their teacher training is faulty, Brown said. He said they now are taking steps to improve their programs.

He said the project, due to end next summer, aims to "secure the maximum impact on scool standards," and to help release an "uptapped natural resource" of the Nation—poorly educated Negro youth.

"Once the intellectual level of suothern Negroes has been raised, it follows that the intellectual level of the southern white will also rise," he said.

Patterson said the project revealed Negro high school students generally lack tevtbooks and frequently "used textbooks that are 10 to 20 years old and clearly outmoded.

He said that in Mississippi, only a fraction of one per cent of the 6000 Negro teachers have Master's degrees, while 13.77 per cent of the 7000 white teachers have such degrees.

He said only 200 of the Negro teachers have Bachelor degrees.

Schooling Gains Noted For Southern Negroes

Courier-Journal

Louisville, Ky.

New York, Aug. 7 (AP)—Negro education in the South isn't on a par with white education, but the gap is being narrowed, a report of the Phelps-Stokes fund says.

14C

It detailed progress in the first four years on a five-year, $450,000 program to improve Negro high-school standards. The program was financed by the Rockefeller Foundation.

Dr. Frederick D. Patterson, fund president, told a news conference the project has shown "there is no innate difference in the intelligence level between the white and Negro child in the South.

Fri. 8-8-58

However, there is a difference in the level of achievement, for which the project has found the cause. It is this—Negro schooling is inferior compared to what a white child or even a Northern Negro child receives."

P. 21

The report dealt specifically with 16 Negro high schools in four states—Alabama, Georgia, Mississippi, and North Carolina—where the project has worked to improve the educational program.

Dr. Aaron Brown, project director, said the academic standings of the students had been raised, resulting in better reading ability, greater use of school libraries, better school attendance, and increased desire of students to go to college.

"Student achievement in the Negro high schools has climbed to within the national norms of white pupils," he said.

Patterson said the project revealed Negro high-school students generally lack textbooks and frequently "used textbooks that are 10 to 20 years old and clearly outmoded.

'Negro schools do not have the money to purchase newer books," he said.

Anson Phelps Stokes

Times

P. 16 E

New York, N.Y.

The long career of Anson Phelps Stokes that has just ended is not to be summarized by a listing of the many important posts he held, though the sense of mission is evident in all of them. Soon after his graduation from Yale at the turn of the century he became secretary of the university, a post that he held for twenty-two years. Early in his career as an educator he had been ordained and was minister of an Episcopal church in New Haven.

The two vocations were to meet, in many endeavors. The priest was to be canon of the Washington Cathedral for a decade and a half. The educator was to become president of the Phelps Stokes Foundation for Educational Work Among Negroes, and to hold other educational posts. The minister was to be educator always. At Dr. Stokes' home in New Haven early in the century was held the meeting at which Clifford W. Beers, author of "A Mind That Found Itself," organized a committee that was to become the Mental Hygiene Movement of America.

14C

Sat. 8-16-58

The minister and educator collaborated to produce the monumental "Church and State in the United States, 1787-1947," published in 1950. To the life of the American spirit he made one of the great contributions of his times.

P. 4

Courier

Sat. 7-12-58

Pittsburgh, Pa.

14C

PHELPS-STOKES WORKSHOP AT FISK—Under the direction of Dr. Vivian W. Henderson, right, chairman of the Department of Business Administration and Economics, high school studies teachers learn about new methods and developments in their field of study while attending a workshop at Fisk University on fellowships granted by the Phelps-Stokes Fund of New York. Among participants are, left to right: Samuel Cole of Tougaloo, Miss.; Mrs. Della Dennis of Chattanooga, Tenn.; Miss Lillonteen Whitehurst of Rocky Mount, N. C., and Miss Theresa A. Powers of Sylacauga, Ala.

N. Y. Times Praises Phelps-Stokes Survey

NEW YORK CITY. — (ANP) — The editors of the New York Times commenting on the survey and project of the Phelps-Stokes Fund in Alabama, Mississippi, Georgia and North Carolina in aiding 10,000 Negro students, stated this week:

"It (the project) points the way to better race relations in the South, based on mutual cooperation and understanding.

"The college authorities (teamed up Negro high schools) examined the programs carried on by the high schools, and the consultants visited the sixteen schools, offering advice, recommending improvements.

"If the academic gap can be narrowed, the argument used by segregationists that Negro children are intellectually inferior falls to the ground."

World

p 9

Atlanta

Ga.

Aug 22 58

Patterson Named President Of Phelps-Stokes Fund

NEW YORK — (ANP) — Dr. Patterson has been designated as president of the Phelps - Stokes Fund, 101 Park Avenue, it was announced last week. The Fund founded in 1911, is a philanthropic organization devoted to research and education related to Africans, American Negroes, American Indians, and low-income housing in New York City.

Sat. 5-10-58

As president, Dr. Patterson assumes a new title. He has been serving as director of the Fund since 1953. He is president emeritus of Tuskegee Institute, Tuskegee, Ala,. and president and founder of the United Negro College Fund.

The change, voted at the April meeting of the Fund's board of trustees, also involves the redesignation of Dr. Emory Ross as chairman of the Board of trustees, and I. N. Phelps Stokes as vice-chairman. Formerly, they were president and vice-president of the board.

Sat. 5-10-58

Wilton S. Dillon, anthropologist, has been named executive secretary and director of research. He is a lecturer at Columbia University, and former member of the faculty at Hobart and William Smith Colleges, Geneva, N. Y.

Dr. Patterson President of Phelps-Stokes

Courier Pittsburgh Pa. Sat. 5-10-58

NEW YORK—Dr. Frederick D. Patterson has been designated as president of the Phelps-Stokes Fund, 101 Park Ave. The fund, founded in 1911, is a philanthropic organization devoted to research and education related to Africans, American Negroes, American Indians, and low-income housing housing in New York City.

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TO LINCOLN U.—Dr. Frederick D. Patterson, former president of Tuskegee institute and now president of the Phelps-Stokes Fund, New York, will be the speaker at the 92nd annual commencement exercises at Lincoln university in Jefferson City on Monday, June 2. The exercises will be held at 7 p.m. on the university quadrangle. Approximately 102 persons are scheduled to receive degrees. The baccalaureate speaker on Sunday, June 1, will be Dr. Robert L. Davidson, president of Westminster college in Fulton.—Saunders photo.

Call p. 1 Kansas City Mo. Fri. 5-30-58

Daily Activity Sheet Wed. 7-16-58 Tuskegee Inst.

THE PHELPS-STOKES FOUNDATION is conducting a two-week workshop, under the direction of Dr. F. A. DeCosta of Morgan State College, Baltimore, Maryland. Persons participating in the workshop, registered in Dorothy Hall are: Mrs. B. D. Parker, Washington, D. C., Mrs. M. Randolph, Baltimore, Maryland, Mrs. E. E. Woodard, Cha Charlotte, S. C., Mr. E. C. Fonsworth, Houston, Texas, Mr. C. H. Thomas, Mr. J. M. Fortenberry and Mr. C. H. Morse, Norman, Oklahoma, and Dr. Cohen Simpson, Talladega, Alabama. We shall list the names of other participants on Friday's sheet.

14c

Savannah State Participates In Phelps-Stokes Project

BY E. L. ROEBUCK

SAVANNAH, Ga.—With Dr. Elmer J. Dean, Chairman Department of Social Sciences, serving as General Chairman, the college is actively participating in the Phelps-Stokes project at Central High School, Sylvania, Georgia. The Phelps-Stokes project is under the sponsorship of the Phelps-Stokes Fund, New York City.

The objectives of the projects are: 1. To rease the level of academic achievements of students in participating secondary schools to a point more in line with national norms. 2. To encourage better selection and more effective use of instructional materials. 3. To stimulate professional growth of teachers. 4. To establish effective college-high school relationships. 5. To improve teacher education, both preservice and in-service. 6. To develop an attitude on the part of colleges and secondary school to continue the program after the Phelps-Stokes Project is completed

The SSC representatives of the Phelps-Stokes Project are: J. B Clemmons, Consultant for Mathematics; W. V. Winters, Consultant for Science; E. J. Dean, Consultant for Social Science and General Coordinator; and Mrs. L. Owens, Consultant for English. R. Holt substituted for Mrs. Owens while she was on leave of absence.

These consultants work to improve instructions in the hgih schools in the areas of instruction communication, mathematics, science, and social studies at Central High School, Sylvania, which is one of sixteen such unit operations. The program is sponsored in Georgia, Alabama, Mississippi, and North Carolina.

The representatives of SSC have just returned from the Workshop in Evaluation in which classroom teachers, principals, and coordinators participated. In the workshop, classroom teachers selected areas to do experimental teaching during the school year of 1959. They have formulated hypotheses and steps to follow in carrying on this experiment. At the conclusion of the experiment, the achievements of students will be measured to see if this experimental teaching was successful on May 1, 1959. Finances for this project is provided by the Phelps-Stokes Fund in New York City under the direction of Aaron Brown, former president of Albany State College.

Seventeen in-service teachers, community leaders, and advanced students representing eleven cities enrolled in SSC's Mass Communication Workshop this summer. This workshop was operated on the full schedule during the summer quarter. The participants shared varied activities and experiences.

Several communications experts served as consultants. Among these were William Lucas, Program Director, USAV-TV; Dave Randall, Program Director, WTOC-TV; Mrs. Willie A. Johnson, Publisher and Editor, Savannah Tribune; L. E. Lee, Production Superintendent, Kennickell Printing Company; Willie C. Day, Manager, Star Theater; Arthur Matthews, Operator, Star Theater; Robert Mobley, College Photographer; and Mrs. Sylvia Bowens, Director of College Audio Visual Aids Center.

14c World p. 3 Atlanta Ga. Tues. 7-29-58

Phelps-Stokes Fund Survey

Improved Instruction At $5 Per Pupil, Dr. Aaron Brown Reports

16 Negro High Schools in Georgia, Ala., Miss. And N. C. Used For Experimental Test Study

NEW YORK — (UPI) — A group of educators showed Tuesday how the level of instruction in public schools can be strikingly improved at a cost of only about $5 per year per student.

Operating on a modest budget, the Phelps-Stokes Project for the Improvement of Instruction in Secondary Schools began an experimental study four years ago to see if the schooling of secondary school students could be improved through proper guidance and supervision.

The test area comprised 16 typical Negro high schools in Alabama, Mississippi, Georgia and North Carolina. About 10,000 students are participating in the project.

Atlanta, Ga.

The life of the original study was extended through a grant from the Rockefeller Foundation. When the project ends in the summer of 1959, it will have cost a total of $450,000.

ACADEMIC STANDARD UP

Dr. Aaron Brown, project director, said in a progress report that the objective of raising the level of instruction in the schools appears to have been reached.

7-30-58

He litsed these main accomplishments of the first four years:

Students have improved their academic standard and are better equipped in the basic high school subjects.

They have learned to read better, make more use of the library and participate more in extracurricular activities.

Student attendance has taken a sharp upturn.

More students plan to go to college and are better equipped to do so.

Student achievement in the Negro schools has climbed to within the national norms of white pupils.

Noting that no state or federal funds are being used, Brown said that a major objective of the project was to secure the maximum impact on school standards with minimum resources.

AUDIO-VISUAL AIDS USED

Cooperating college officials visited the high schools, consulted with teachers and principals and offered suggestions and advice. The teachers received special help in modern teaching methods and techniques. In some cases, instructional materials were provided.

There was a greated use of audio-visual materials, including films, radio, maps and other equipment.

The entire program was coordinated by a board of 17 top educators from the U. S. Office of Education, state departments of education and colleges and universities

ROCKEFELLER UNIT BIDS U.S. OVERHAUL EDUCATION SYSTEM

New York Times

New York
Mon. 6-23-58

'Daring' Action Urged to Give Equal, but Not Similar, Schooling to Everyone

P. 1

TAX POLICIES ASSAILED

A Wider Use of Television in Classroom Suggested in Brothers Fund Report

14C

Text of summary of report is printed on Page 16.

By LOREN B. POPE

A Rockefeller Brothers Fund report on education declared yesterday that the nation must immediately take daring and aggressive measures to provide equal—but not similar—educational opportunities for the fullest development of every individual.

A panel of fifteen educators and editors headed by John W. Gardner, president of the Carnegie Corporation of New York, said that such an educational plan was expensive, "a fact which the American people have never been quite prepared to face."

But if they are not, the seventy-page report said, the country's leaders in all walks of life must join in a national campaign to prepare them, for "at stake is nothing less than our national greatness and our aspirations for the dignity of the individual."

Perhaps the greatest problem facing American education, it said, "is the widely held view that all we require are a few more teachers, a few more buildings, a little more money."

Drastic Changes Seen

"Such an approach will be disastrous," the report continued. "We are moving into the most demanding era of our history. We must build for the future in education as daringly and aggressively as we have built other aspects of our national life in the past."

That, the panel asserted, will mean drastic or even revolutionary changes in traditional techniques and attitudes.

The panel saw no alternative to Federal aid to help pay for the kind of educational system that will "identify, nurture and wisely use" every individual's talents, unless there was "a thorough, painful, politically courageous overhaul of state and local tax systems."

New York Times

The report, entitled "The Pursuit of Excellence: Education and the Future of America," is the fourth of the Special Studies Projects of the "Rockefeller Brothers Fund. Previous reports have dealt with problems of military security, economic and social matters and foreign trade policy.

New York
Mon. 6-23-58
P. 17 C

The series, "America at Mid-Century," attempts to assess the major foreign and domestic opportunities likely to confront the United States over the next ten to fifteen years.

The projects are carried out by an over-all panel of prominent Americans with the aid of 100 experts who do background papers on their fields. A sub-panel in each field submits its findings, based on discussion of about fifteen papers, and the testimony of experts, to the over-all panel. A final report is then prepared. Nelson A. Rockefeller is chairman of the over-all panel.

Creativity Is Stressed

While the report covered the same general ground of other such studies since the 1955 White House Conference on Education, it went beyond many of them in its concern for the development of creative individuals in a highly organized, institutionalized society "in an age of conformity."

But it repeatedly stressed that the individual's talents must be developed "in a context of concern for all."

The report eschewed the philosophy behind Rear Admiral Hyman G. Rickover's suggested elite academies for the intellectually gifted. It opposed the idea of separting students by ability. In a democracy, the panel said, there is much to be gained by mixing bright and slow and in-between in the same classes. Let good teachers challenge each according to his abilities.

Likewise, the European single-test system of selecting students was rejected. While repeated testings in the elementary grades were recommended, the report's words were strong to the effect that no tests yet devised could measure two of the three ingredients of superior performance: motivation and character.

The one attribute that tests can measure is academic aptitude, and that, the panel noted, often is not the one that produces great men or deeds. Hence, there must be a "merciful" application of test judgments, and then only as one criterion of a student's possibilities.

The fact that the Soviet Union threaten the United States for the first time with technological inferiority makes it a matter "of sheer survival" that America develop to the fullest each person's talents, the panel said. Moreover, this country's expanding and increasingly complex society is constantly raising the demands for trained manpower.

This need for balance is one reason that no crash programs or piecemeal approaches will solve the problems of providing educated brains, the report said. Another is that this is an age of change—future needs cannot be identified.

Education's big task, the report said, is to provide the equality of opportunities for persons of differing abilities to achieve excellence at many levels in intellectual activity, crafts, technical work, and so on. It must produce gifted generalists and a weyy-informed citizenry with "a literacy in science."

School Rosters Rising

The task is admittedly a big one. The nation's schools are overcrowded, understaffed and ill-equipped, the panel warns. In two years, elementary school enrollments will rise by 50 per cent. In a decade, high schools will have 50 to 70 per cent more students than they can now accommodate. And by 1975 the colleges will have double or triple their present enrollments.

Moreover, the school system has been given an increasing share of the responsibilities of the home, the panel said, and has had to accept "a sense of responsibility for every psychic or civic crisis involving individuals below the age of consent."

To meet this task, the Rockefeller study recommends immediate revolutions in teacher preparation, in teacher use and in teacher pay.

The requirements for teacher certification in some states are so technical and trivial, the report said, "as to make it unlikely that those with a first-class liberal education would even apply, or be eligible if they did." Fortunately, it noted, there is a lively and widespread movement afoot in the educational world to correct these difficulties.

The nation could use, in the decade ahead, one-third to one-half of the college graduates of every kind for teaching, but it is likely to get only one-fourth or one-fifth of them. When this is added to the fact that one-third of today's elementary teachers lack college degrees, the report said, better use of teachers becomes a "must."

It recommended such things as television, films and teachers' aides to bring the best teachers into contact with larger numbers of students and to free them from petty tasks. These, it added, should be only "the beginnings of a long overdue revolution in teaching techniques."

But it said that the "root problem" was one of discarding seniority in favor of a merit basis for promotions and pay, a step opposed by teacher organizations.

The panel also urged that the "snap" courses be largely swept out of the curriculum for the abler students, that educators get rid of their traditional fixations about class size, and that they put more responsibility on the student for his own education.

As a general high school course for all, the report suggested four years of English, three to four years of social studies, one year of mathematics and one year of science.

For the academically talented, it suggested two or three more years of science, three more years of mathematics, and at least three years of a foreign language. And they urged that, as is being done in mathematics and physics, the content and quality of the courses be modernized and improved.

The report said that guidance programs must also be startlingly improved, for they are essential to the success of our system, and are needed especially for the able students. These students, the panel said, should be pushed along, perhaps in special schools such as the Bronx High School of Science, given college-level work or sent to college early.

But at the same time, it said, the schools should provide different programs for different types and levels of ability. The programs must be sensible and flexible to fit the varying needs of young people, and they have yet to be developed, the panel insisted.

Educational Challenge

From The New York Times

The stimulating report on the mounting crisis in education published by the Rockefeller Brothers Fund is a challenge to the American people to take action before it is too late. It is already later than most of us are willing to believe.

Advocate P. 4

As this study, prapared by a 15-man panel headed by John W. Gardner, president of the Carnegie Corporation, makes clear, the problems are qualitative as well as quantitative. They can be answered only by the expenditure of large sums of money; but money alone is not nearly enough. They require for their solution an imaginative, multi-faceted, flexible method of attack, and one that stresses the cultivation of individual talent while never losing sight of the basic democratic principle of equality of educational opportunity.

Sat 7-5-58

Instead of yielding to the popular fallacy that everything will be all right if we can only turn out a few thousand more scientists every year to match the Russians, the Gardner report suggests that we "prepare ourselves for a constant and growing demand for talent of all varieties and . . . attempt to meet the specific needs of the future by elevating the quantity and quality of talented individuals of all kinds." Of course there has to be "a major expansion" in science teaching—but the fact is that there has to be a major expansion all along the line.

Jackson, Miss

Money? "Our schools are overcrowded, understaffed and ill-equipped," and the figures are there to prove it. The situation is rapidly getting worse, not better. In addition to money, our schools need "an unsparing re-examination of current practices, patterns of organization and objectives." There ought to be some basic revision in teacher-training requirements, in techniques, in curriculum. There ought to be a much stronger guidance program for students. There ought to be better testing methods. There ought to be, basically, a more advanced public attitude toward the vital importance of a superior

14C

educational system. This latest of the series of Rockefeller reports helps to point the way.

World's 'Richest' Man

Courier-Journal
Louisville, Ky.

Rockefeller, Jr., Has Made Career Of Giving Away Father's Money

Tues., 7-15-58

He's Dispersed $400,000,000

P.

© New York Times News Service

New York, July 14.—"Rich as Rockefeller" was on the way to replacing the classic phrase, "rich as Croesus," in the American language before John Davison Rockefeller, Jr., was born January 29, 1874.

John D. Rockefeller, Sr., became known in his lifetime as the richest man in the world.

His only son, and youngest child, who has just given $5,000,000 to the Lincoln Center for The Performing Arts, tried conscientiously to learn business ways in his fater's office after he was graduated from college, but he found them boring.

Not until he became involved in the operation of three philanthropic projects did the junior Rockefeller become interested in the management of the family fortune. Those projects enabled him to begin to give away his father's millions—which he has been doing ever since.

Became Deeply Involved

The projects were the Rockefeller Institute for Medical Research, the General Education Board, and the Rockefeller foundation. John D., Jr., helped his father start them early in the century. By 1910 he was deeply involved in them, and they were the cornerstones of his career.

Two years ago, Rockefeller's official biographer estimated that he had dispersed $400,000,000 for public purposes.

Before he found his calling as a philanthropist, Rockefeller had struggled earnestly to overcome his own shyness and to bear up under the weight of his father's name.

Managed Football Team

In his college days at Brown, he plugged hard at establishing himself as an individual among his classmates. He managed the football team, was junior-class president, and ran the junior promenade, the junior celebration, and the senior-class supper.

He also achieved, for those brief years only, three nicknames: "Old Smokestacks," "Old Ice Wagon," and "Johnny Rock."

At the 50th reunion of his class, in 1947, Mr. Rockefeller said: "Only here on the campus did I enjoy a completely independent personality. There has been nothing in my life since then quite like this kind of comradeship."

Insisted on The 'Jr.'

Nowadays, Rockefeller is referred to by close associates as "Mister Junior," but most of them address him as Mr. Rockefeller.

When Rockefeller, Sr., died in 1937, at the age of 98, his son, then 63, insisted on retaining the "Jr." "There was only one John D. Rockefeller," he declared.

The new gift is by no means the first to advance the culture, change the contour, and affect the prosperity of the city that has been his principal home since boyhood.

Contributed Heavily

He donated land to the United Nations headquarters — thereby influencing its location here; built Rockefeller Center; put up low-rent housing in Harlem and on the lower East Side and reconstructed the Cloisters in Fort Tryon Park.

Rockefeller also contributed heavily to the interdenominational Riverside Church and built International House nearby as a residence for foreign students.

He used to lead a men's Bible class at Riverside. He still attends services there regularly while in New York, but the Rockefeller role of Sunday-school teacher has devolved on his grandson Rodman. He has a class at Union Church in Pocantico Hills, N. Y.

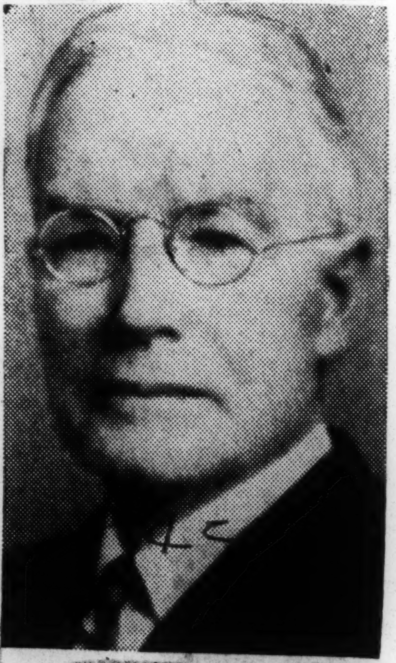
Rockefellers Live Quietly

With his second wife, the former Mrs. Martha Baird Allen, widow of a Brown classmate, Rockefeller moves with the seasons from Westchester County, N. Y.; Seal Harbor, Me.; Williamsburg, Va.; a ranch in Wyoming, or his apartment on Park Avenue.

He and his wife live quietly and take a deep interest in music. She was a concert pianist and he studied violin from the age of 7 until he entered college. Music was the only art welcomed unreservedly in the religious atmosphere of his boyhood home.

It "took the place of the theater and was an offset for our limited social life," he once recalled.

Rockefeller remarried in 1951, three years after the death of his first wife, the former Abby Aldrich.



JOHN D. ROCKEFELLER, JR.

Southern Student Standards Raised Through GEB Program

Birmingham World

Birmingham, Ala.

NEW YORK — The educational standards of Negro high school students in the South have been raised through a special high school-college program financed by the General Education Board of the Rockefeller Foundation.

Wed. 8-6-58

P. 4

14c

At the same time, the school gap between the Negro and white students in the South has been narrowed.

The five-year program, to cost $450,000 has ended its fourth year this month. The first progress report was issued Tuesday. Called "The Project for the Improvement of Instruction in Secondary Schools," it is sponsored by the Phelps-Stokes Fund, 101 Park Avenue, New York, N. Y. The Fund was established in 1911 to help improve education and race relations.

ACCOMPLISHMENTS LISTED

Dr. Aaron Brown, project director, former president of Albany State College, Georgia, lists these main accomplishments of the first four years:

Negro boys and girls have improved their academic standard and are better equipped in the basic high school subjects.

Negro students have learned to read better, make more use of the library, and participate more in extra curricular activities.

Student attendance has taken a sharp up-turn.

More Negro children plan to go to college and are better equipped to do so.

Student achievement in the Negro high schools has climbed to within the national norms of white pupils.

The program is being conducted in 16 typical Negro high schools in Alabama, Mississippi, Georgia, and North Carolina. Approximately 10,000 students are participating in the project.

Each high school is teamed up with a nearby college or university in a "big brother" type relationship.

LOCATE WEAK SPOTS

Consultants from the two institutions work together to locate the weak spots in the high school teaching program. They attempt to correct deficiencies wherever possible.

Dr. Brown explained that the major objective of the project is to identify ways to secure the maximum impact on school standards with the minimum resources. The program is being conducted without any state or national funds.

"If you have a high level of professional competence and bring to the problem imagination and resourcefulness you can raise educational standards," Dr Brown reports. "We are developing a program within the boundaries of reality. When our project ends, we hope to develop techniques and goals that will stimulate teachers everywhere to give better instruction."

NO RACIAL DIFFERENCES

According to Dr. Frederick D. Patterson, president of the Fund and president emeritus of Tuskegee Institute, the study shows that there is no innate difference in the intelligence level between the white and Negro child in the South. However, there is a difference in the level of achievement for which the project has found the cause. It is this: Negro schooling is inferior compared to what a white child or even a northern Negro child receives.

Both Dr. Patterson and Dr. Brown cited as an example the project's finding that the Negro schools have inferior textbooks and equipment.

"There are not enough textbooks to go around," they point out. "Frequently the Negro children use textbooks that are 10 to 20 years old and are clearly outmoded. Negro schools do not have the money to purchase newer books."

NEGROES 'CAN KEEP UP'

Given proper guidance and better instructional materials, the Negro child in the South can do better academic work, the study shows. Dr. Brown points out that the Phelps-Stokes study has answered one charge made by segregationists in the South— that Negro children cannot keep up with the white youngsters in the classroom.

"We know now," he asserted, "that this is not true."

Referring to the dearth of scientists, teachers and other professionally trained specialists, Dr. Brown claimed that "several million Negro boys and girls are being neglected because of inferior schooling."

"Here is a vast, untapped natural resource ready for use," he said. He added that any academic improvement through the project will benefit the entire country. "Once the intellectual level of southern Negroes has been raised," he noted, "it follows that the intellectual level of the southern white will also rise."

As to the operation of the project, Dr. Brown explained that summer workshops involving the cooperating colleges and the high schools and in-service training programs are the two most often used methods of correcting deficiences existing in the teaching programs. Seminars are also conducted to arouse the students' interest in schools.

Also, college officials visit the high schools, consult with the teachers and principals, and offer suggestions and advice as may be needed. The teachers receive special help in modern teaching methods and techniques. In some instances instructional materials are provided.

John D. Rockefeller Jr. Gives Lincoln Center $5,000,000

New York Tribune

New York, N.Y.

By Peter D. Franklin

John D. Rockefeller jr. has donated $5,000,000 to the Lincoln Center for the Performing Arts, it was announced yesterday. The gift is the largest the center has received from an individual.

Mon. 6-30-5

In making his contribution toward the construction of the artistic and educational development, Mr. Rockefler said:

P. 11

14c

"As a citizen of New York, I want to give expression to my profound appreciation of the significance to the city and to the nation of the plans for Lincoln Center. . . . I am confident that all forward-looking citizens will applaud and support the center's endeavors."

The gift was announced jointly by his son, John D. Rockefeller 3d, the center's president, and Clarence Francis, chairman of the $75,000,000 fund-raising campaign. Contributions to the center now total $35,526,000.

Near Half-Way Mark

Mr. Francis said the contribution was a "splendid stimulus" to the campaign, which is now "within striking distance" of the half-way point. "We are more confident than ever of our success," he asserted, "but we are also conscious of the tremendous amount of money we have yet to raise."

On behalf of the center's board of directors, Charles M. Spofford, vice-president of the development, regarded Mr. Rockefeller's "magnificent gift" as being "pivotal to the success of the whole enterprise." He said:

"This most tangible expression of interest by a man whose name is synonymous with American philanthropy clearly establishes the performing arts as worthy of the generosity of all who are interested in a better community."

The principal edifice within the center will be the new 3,800-seat Metropolitan Opera House, which is scheduled for completion in 1961. So for Mr. Rockefeller it becomes his second venture into helping to establish a new home for the city's opera.

In the late 1920s the eighty-four-year-old philanthropist had planned to include a building in the Rockefeller Center project for the Metropolitan. The plans called for an opera house to be constructed between 49th and 50th Sts., backing on Avenue of the Americas and facing across an open square to St. Patrick's Cathedral.

A Metropolitan Square Corp. was formed and a lease negotiated with Columbia University, the owners of the site. Following the stock market crash of 1929, however, the hopes for a new home for the Metropolitan faded into oblivion, although a "routine gesture" was made in the plans as late as 1932. These called for a 4,042-seat opera house in a fifteen-story building to be erected at an estimated cost of $4,500,000.

Other Large Gifts

The largest previous gift to Lincoln Center from an individual was the $3,000,000 contributed by Mrs. V. Beaumont Allen last month toward the construction of the center's repertory theater. Other gifts to date include:

Ford Foundation, $12,500,000.

Rockefeller Foundation, $10,500,000.

Avalon Foundation, $2,500,000.

Seventeen New York commercial bank, $1,225,000.

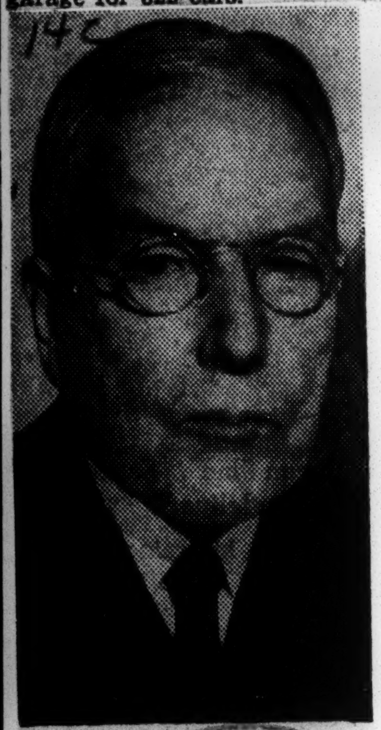
James Foundation, $250,000.

New Orleans Metropolitan Opera Guild, $1,000.

Two anonymous gifts totaling $1,000,000.

Lincoln Center will be built within the Lincoln Square redevelopment on Manhattan's West Side. When completed in the summer of 1963 the center will include a new concert hall for the primary use of the New York Philharmonic, the opera house, educational buildings for the Juilliard School, a library-museum of the performing arts, a dance theater, a repertory drama theater and a chamber music and recital hall. Underneath the entire site will be a garage for 822 cars.

14C



Herald Tribune—Warman

John D. Rockefeller jr.

14c 1958

SADIE P. DELANEY MEMORIAL SCHOLARSHIP FUND

Sadie Peterson memorial set up

Afro American

p. 17

[illegible]

TUSKEGEE, Ala.—A scholarship fund has been established by a committee of family and friends as a memorial to the late Dr. Sadie P. Delaney, former Chief Librarian of the U.S. Veterans Administration Hospital here.

A pioneer in the development of the science of bibliotherapy, Dr. Delaney served 24 years in the VA Hospital and was an active member of the American Library Association.

Baltimore Md.

She was vitally interested in the training of qualified people for the library profession and in keeping with her desires, this memorial is being established.

14c

Because of her association with the Atlanta University School of Library Science, the Sadie P. Delaney Memorial Scholarship Fund is being established there.

14c 1958

SCHENLEY FOUNDATION

$25,000 donation to Schenley foundation

14c

Afro American

Sat 9-20-58

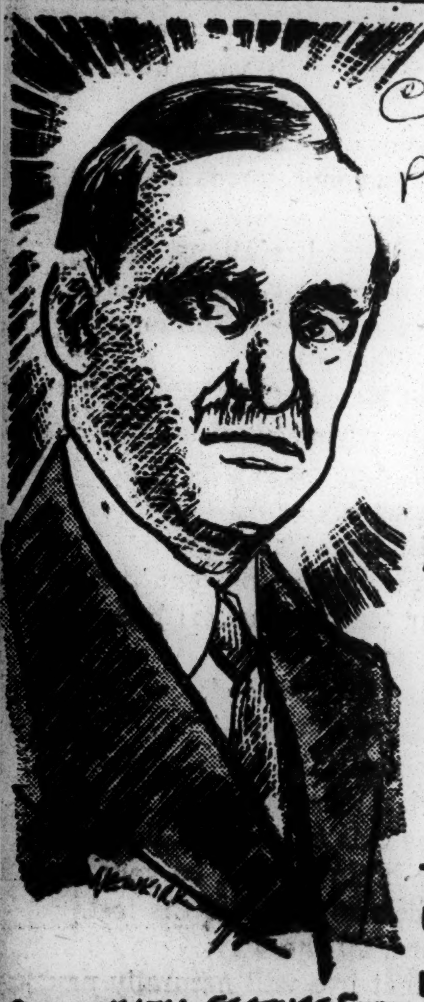
Baltimore Md.

PHILADELPHIA, Pa. — A $25,000 donation was made to the Schenley Wholesalers Foundation by the Lewis and Dorothy H. Rosenstiel Foundation.

The Schenley Foundation was established in July, 1957, as a non-profit organization to provide "a means through which Schenley could make contributions to the advancement of the ideals exemplified by the American way of life."

Scholarships were given to three colored children during the foundation's initial project this year. A grant-in-aid was also made to Howard University.

Things You Should Know



DR. James H.

Call Fri 5-16-58

P. 19

DILLARD

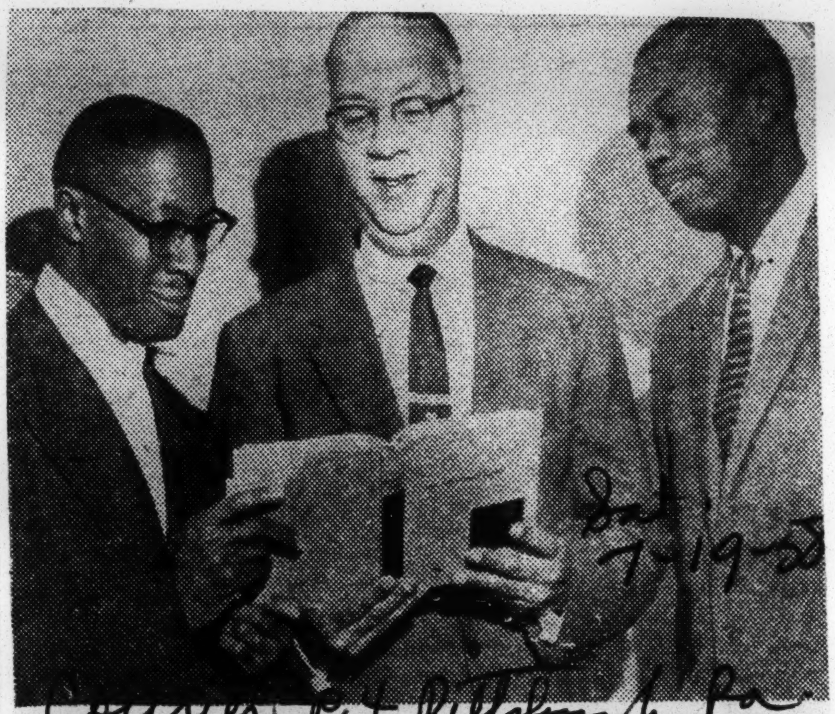
—1940

14 c

AS PRESIDENT OF THE SOUTHERN EDUCATION FOUNDATION HE SERVED FOR YEARS, HANDLING THE DISTRIBUTION OF MILLIONS OF DOLLARS CONTRIBUTED UNDER VARIOUS FUNDS FOR NEGRO EDUCATION, SCHOOL-BUILDING, TEACHER-TRAINING, ETC.! IN 1882, JOHN F. SLATER OF NORWICH, CONN., SET UP THE SLATER FUND OF $1000,000! TIL HIS RETIREMENT, DR. DILLARD HANDLED THIS FUND AND MANY OTHERS AS LARGE AND LARGER!

Kansas City, Mo

CONTINENTAL FEATURES—



Sat. 7-19-58

Courier P. 4 Pittsburgh, Pa.

PRINCIPALS' WORKSHOP—A feature of the annual summer session of North Carolina College, Durham, is the Principals' Workshop, sponsored in connection with the Southern Education Foundation and the State Department of Instruction. The three leaders of the workshop are, left to right: Dr. James C. Finney, professor of education at NCC, director; A. H. Anderson, principal of Paisley Junior High School, Winston-Salem, and E. W. Midgette, principal of Burton Elementary School, Durham, assistant director.

14c

R. L. Cousins Quits Georgia Educational Post

Word

Ed

Atlanta.

Robert L. Cousins, director of Negro Education for the State Department of Education, has resigned to his post to become assistant director of the Southern Education Foundation.

His successor on the state education post is T. A. Carmichael, who has been supervisor of curriculum for the department.

Cousins' new job will entail assisting with the program of higher education for Negroes. He was with the education department for 27 years.

Sat 7-19-58

SCEF Charges Florida Johns Committee Is Seeking To Frighten Desegregationists

Shalie p. 16

Aubrey W Williams, president of the Southern Conference Educational Fund, Inc, has charged that the committee of the Florida state legislature, headed by Charley Johns, is fundamentaly violative of law and the Constitution of the United States and of the duties of good citizenship.

14c

"The legislature which created the committee," Mr Williams stated in a letter to Florida editors, "went for beyond the limits of constitutional power to pass legislation for the purpose of nullifying that decision. Therefore, we do not believe that the committee is investigating facts for the purpose of carrying out proper legislative duties, but is merely undertaking to embarrass certain individuals and groups in order to frighten them out of their efforts to support and obey the law of the land as stated by the Supreme Court.

Nashville Tenn

"The Southern Conferenece Educational Fund, Inc," wrote Mr Williams, "is an organization of Southerners, whose work has always been to educate and develop a sound and informed public opinion in the South. It is naturally the target of the Johns Committee, and while we are glad to be numbered among those who oppose the things for which the committee stands, we regret that a group having the authority of the state legislature indulges in such tactics, for the unlawful purpose of nullifying a decision of the Supreme Court. By such tactics the committee supports the prejudices of those who are bent upon defiance of the law of the land, and attempt to discourage honest citizens who mean to live within the law and treat all of their fellow men with kindness and justice.

Fri 4-18-58

"Our organization believes that the purposes and aims of the committee are fundamentally violative of law and the Constitution of the United States and of the duties of good citizenship. The apparent but false egality given to it by legislative authorization should not deceive the people of the south into thinking that it represents any sound or majority thinking. We believe that the people of the South are law abiding and will support the decisions of the Supreme Court of the United States.

Southern Conference Hits Attack On Supreme Court

14c

NASHVILLE, Tenn. — The board of directors of the Southern Conference Educational Fund, Inc., meeting here on Oct. 4, declared that "current attacks on the Supreme Court, accompanied by the closing of schools in Arkansas and Virginia, are un-American and essentially seditious."

The leadership of the Southwide organization expressed pleasure "that the federal government is responding to the will of the people in the best American tradition."

Leonard p1 June 19-58

The SCEF board said the government was doing this by "insisting on obedience to the organic law of the land as interpreted by the Supreme Court. and by urging that our system of public education be kept in full and uninterrupted operation."

Ocala wo. Ga.

"Kentucky, Maryland, Oklahoma, West Virginia, and Tennessee, which are equally as Southern as Arkansas and Virginia, have demonstrated the possibility of peaceful compliance with Supreme Court orders", the board said. "In these states, leadership on the state level took a constructive attitude instead of obstructing and nullifying the good-faith efforts of local school boards."

The board members also voted to "highly commend and vigorously support the 210 Negro leaders from all over the South who protested the actions of the House Committee on Un-American Activities in Atlanta, Ga., in July."

This referred to a hearing July 30 to which the House Committee summoned Carl Braden, Louisville integrationist and SCEF field secretary, to question him about his activities in the South. Braden told the committee that his beliefs, activities, and associations were none of the committeee's business.

Calls Action 'Un-American'

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Jefferson p. 21 14c

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Chicago Def

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COMMEND LEADERS

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Sat. 10-18-58

Another witness who refused to answer questions at the Atlanta hearing was Frank Wilkinson, Los Angeles, secretary of the Committee to Preserve American Freedoms. He had been invited to Atlanta by SCEF officials to observe the operations of the House Committee.

The SCEF board said:

"Braden and Wilkinson believe in true Americanism and would welcome a bona fide investigation of such current, widespread un-American activities. as the burning of churches and synagogues, harassment of Jews and Negroes, restrictions of the right to vote by intimidation and otherwise and the denial of the rights of free assembly and free speech.

"We regard it as a contradiction in terms to castigate as un-American people who support the Constitution as defined by the courts and who believe our differences should be settled peaceably in the courts. On such grounds, we support Braden and Wilkinson in their stand."

SENATE RULE 22

The SCEF board further voted to assist in a nation-wide movement to modify Senate Rule 22 to limit filibustering. The board noted that fillbustering is the principal device used by Southern senators to defeat civil rights legislation.

SCEF will circulate a petition all over the South to modify Rule 22. The petition will be presented to the Senate at the opening of the 86th Congress in January in support of senators cooperating with the AFL-CIO to change Rule 22.

Eleven members were added to the biracial SCEF board. They are:

The Rev. F. L. Shuttlesworth, Birmingham, president of the Alabama Christian Movement for Human Rights; Miss Corinne Breeding, Oklahoma City businesswoman; the Rev. W. W. Finlator, Baptist minister of Raleigh, N. C.; Bishop Frank Madison Reid, Kittrell, N. C.; Dr. Elinor Behre, Scientist, Black Mountain, N. C.;

Also the Rev. Sherwood S. Davis, Methodist minister, Austin, Texas; Dr. Samuel Newman, pediatrician, Danville, Va.; the Rev. A. E Campbell, president of the Tennessee Regular Baptist State Convention, Memphis; Mrs. Willie Miles, integration leader, Knoxville, Tenn., and Jimmy Stewart, newspaper columnist and president of the Oklahoma City NAACP.

SCARE ATTEMPT LAID TO FLORIDA COMMITTEE

Daily World Atlanta, Ga.
Sat. 3-22-58
P. 11c

NEW ORLEANS — Aubrey W. Williams, president of the Southern Conference Educational Fund, Inc., has charged that the committee of the Florida state legislature is fundamentally violative of law and the Constitution of the United States and the duties of good citizenship.

"The legislature which created the committee," Mr. Williams stated in a letter to Florida editors, "went far beyond the limits of constitutional power to pass legislation for the purpose of nullifying that decision.

"Therefore, we do not believe that the committee is investigating facts for the purpose of carrying out proper legislative duties, but is merely undertaking to embarrass certain individuals and groups in order to frighten them out of their efforts to support and obey the law of the land as stated by the Supreme Court.

"The Southern Conference Educational Fund, Inc.," wrote Mr. Williams, "is an organization of Southerners, whose work has always been to educate and develop a sound and informed public opinion in the South. It is naturally the target of the Johns Committee, and while we are glad to be numbered among those who oppose the things for which the committee stands, we regret that a group having the authority of the state legislature indulges in such tactics for the unlawful purpose of nullifying a decision of the Supreme Court.

By such tactics the committee supports the prejudices of those who are bent upon defiance of the law of the land, and attempts to discourage honest citizens who mean to live within the law and treat all of their fellow men with kindness and justice.

"Our organization believes that the purposes and aims of the committee are fundamentally violative of law and the Constitution of the United States and of the duties of good citizenship. The apparent but false legality given to it by legislative authorization should not deceive the people of the South into thinking that it represents any sound or majority thinking.

We believe that the people of the South are law abiding and will support the decisions of the Supreme Court of the United States"

Lack Of Negro Voters Blamed On Fear, Apathy

Opinions Expressed In Conference On Mississippi Voting

WASHINGTON — (AP) — Ignorance, apathy, and intimidation are given as reasons why many Negroes dc not register to vote in Louisiana and Mississippi.

These views were expressed Saturday in a Negro-white Conference on voting rights for Negroes in nine states. The conference was held under the auspices of the Southern Conference Educational Fund. The fund is headed by Aubrey Williams, Montgomery, Ala., publisher and former head of the National Youth Administration in the Roosevelt administration.

Daily News

Saturday's reports are to be turned over to the Cifil Rights Commission when it gets down to business.

P. 1

Kenneth Walker, editor of The Colfax Chronicle, told the conference "I think the shortage of Negro registrants in Louisiana stems from essentially two things. One is lack of concern on the part of the Negro — a don't want to cause no trouble' attitude. The other is plain lack of ability to read and write well."

POLITICAL, RACIAL

Walker said voting restrictions do exist in Louisiana, with political as well as racial overtones.

Nov. 4-58

Albert L. Powell, president of the Mississippi Progressive Voters League, said the Negro registers and votes freely in only six of the 82 counties. The counties were given as Harrison, Hinds, Warren, Washington, Lauderdale and Coahoma.

Jackson, Miss.

In 43 counties of Mississippi, Powell said, every now and then a favored Negro is permitted to register. In the other 33 counties, he said, there is "gross intimidation that creates a fear complex to such an extent that the Negroes in these counties are in most instances afraid to try to register."

In most elections in Mississippi, Powell added, "The candidate that can yell 'Nigger, Nigger' loudest will be elected."

SCEF Lauds Government

Courier
P. 3

NEW ORLEANS—Members of the bi-racial board of directors, Southern Conference Educational Fund, Inc. meeting this month in Nashville, Tenn., commended the Federal Government for responding to the will of the people in the best American tradition. Further they charged that the current attacks on the U. S. Supreme Court, accompanied by the closing of schools in Arkansas and Virginia are "un-American and essentially seditious."

Pittsburgh
P. 3

The members also voted to highly commed and vigorously support the 210 Negro leaders from the South who protested the actions of the House Committee on Un-American Activities in Atlanta, Ga., in July. They referred particularly to Carl Braden, Louisville, Ky., integrationist and SCEF field secretary, who told the committee his beliefs, activities and associations were none of the committee's business; and also to Frank Wilkinson, Los Angeles, secretary of the Committee to Preserve American Freedom, who refused to answer questions at the Atlanta hearings.

New members added to the SCEF board were the Rev. F.L. Shuttlesworth, Birmingham, president of the Alabama Christian Movement for Human Rights; Miss Corine Breeding, Oklahoma City businesswoman; the Rev. W. W. Finlator, Raleigh, N. C., Baptist minister; Bishop Frank Madison Reid, Kittrell, N. C.; Dr. Elinor Behre, Black Mountain, N. C., scientist; the Rev. Sherwood S. Davis, Austin, Tex., Methodist minister; Dr. Samuel Newman, Danville, Va., pediatrician; the Rev. A. E. Campbell, president, Tennessee Regular Baptist State Convention, Memphis; Mrs. Willie Miles, Knoxville, Tenn., integration leader, and Jimmy Stewart, newspaper columnist and president of the Oklahoma City NAACP.

Rev. Shuttlesworth gets SCEF position

P. 8
Afro American

NASHVILLE, Tenn. — The biracial Southern Conference Educational Fund added 11 members to its board at an October meeting.

Sat. 10-25-58

Among them are the Rev. F. L. Shuttlesworth of Birmingham, Ala., Mrs. Willie Miles of Tennessee, Jimmy Stewart, head of the Oklahoma NAACP, and Bishop Frank M. Reid of North Carolina.

Baltimore

Federal Court Upholds School Placement Law

Panel Okays Alabama Act 'On Its Face'

Advertiser
Sat 5-10-58
P. 1A

A three-judge federal court Friday ruled that the Alabama School Placement Law was not unconstitutional "on its face" but might be unlawful "in its application."

Similar laws had previously been declared unconstitutional in Louisiana and Virginia. The North Carolina "pupil enrollment act" was also ruled not unconstitutional "on its face."

The law, passed by the state legislature in 1955, gives local school boards almost unlimited power to say where individual pupils shall attend schools.

"The legal situation in Alabama is more analogous to that in North Carolina," the judgment said Friday.

The 20-page document was filed in Birmingham and signed by U.S. Circuit Judge Richard T. Rives of Montgomery and U.S. District Judges Seybourn H. Lynne and H. H. Grooms of Birmingham.

Montgomery, Ala.

FOUR NEGROES

The ruling came in a case filed for four Birmingham Negro school children against the Birmingham Board of Education.

One of the children was Ruby Fredricka Shuttlesworth, a daughter of a Birmingham integration leader and Negro minister, the Rev. F. L. Shuttlesworth, whose home was bombed on Christmas Eve, 1956. He was attacked by a group of men when he attempted to enroll several Negroes in all-white Phillips High School near downtown Birmingham last September.

Sen. Albert Boutwell, who was chairman of a joint legislative committee which worte the act in 1954, told The Advertiser Friday the decision "was certainly expected because the act is clearly constitutional — the Supreme Court of the United States does not require integration; it simply forbids discrimination solely on the basis of race."

The School Placement Act, Boutwell said, "is based on the individual's abilities, aptitudes and characteristics."

BOUTWELL 'HAPPY'

Boutwell said he was "happy" over the decision. "Any other," ie said, "would have meant turmoil, strife and possibly the closing of any individual school if integration was attempted to be forced upon it."

He called the act the result of "the cooperation of an almost unanimous Legislature."

The three judges said everything in Friday's opinion "must be limited to the constitutionality of the law upon its face."

"The School Placement Law furnished the legal machinery for an orderly administration of the public schools in a constitutional manner by the admission of qualified pupils upon a basis of individual merit without regard to their race or color.

"We must presume that it will be so administered.

"If not, in some future proceeding it is possible that it may be declared unconstitutional in state," the decision read.

The four Negro school children, through their parents, filed the case to test the constitutionality of the School Placement Law, to enjoin the Birmingham board of education from enforcing the law, and to enjoin the board from refusing "solely on the basis of race or color or resentment by others" to permit the four Negro children to attend the schools situated closest to their homes.

PETITION FILED

Advertiser

The parents had filed a petition with the Birmingham board on Aug. 21, 1957, requesting "nondiscriminatory" assignment to schools during the 1957-58 school year.

The superintendent of schools on Sept. 9 requested that the Negro parents present their children on Sept. 16 at the guidance center for testing. The parents wrote a letter, instead, to the superintendent, requesting an interview. This he refused, informing them the tests must come first.

The tests were given on Oct. 7 and during the early part of November the parents were interviewed by the superintendent.

The complaint was filed in the Birmingham federal court on Dec. 18, 1957.

Sat 5-10-58

The School Placement Law ives local boards the authority o determine where any pupil hall attend the public schools. It sets forth several criteria to be used, including:

Available room and teaching facilities and transportation; scholastic aptitude and relative intelligence or mental energy or ability of the pupil; the psychological qualification of the pupils for the teaching and associations involved; the effect of admission of the pupils on the academic progress of other students; the possibility of threat or friction or disorder among pupils or others; the possibility of breaches of the peace or ill will or economic retaliation within the community.

SCHOOLS CLOSER

The parents had sought admission of the children to the Phillips and Graymont schools in Birmingham, claiming that these schools were closer to their homes than the Negro schools to which the students had been assigned.

Results of the tests given the students, or of the parents' interview, were never disclosed by the Birmingham board of education.

The decision noted:

"The plaintiffs would have us conclude without further ado that the whole intent (of the act) is to continue the system of separate schools for Negro and white in the state of Alabama. In dealing with an act of the Legislature of a sovereign state, we cannot lightly reach such a conclusion, nor, indeed, are we permitted to do so except upon the most weighty and compelling of reasons."

The Negro plaintiffs pointed "with much force," the decision said, to the nullification resolution passed by the Legislature in February, 1956.

The decision dismisses this with:

"It amounted to no more than a protest, an escape valve through which the legislators blew off steam to relieve their tensions. Though defiant in spirit, the intent expressed by that resolution was confined to meas- its application. The responsibility rests primarily upon the local school boards, but ultimately upon all of the people of the ures 'constitutionally available to us.'

"That resolution came before the adoption of the amendment which eliminated from the state constitution the requirement for segregated public schools. It cannot prevail over that amendment and over the subsequently amended and rewritten School Placement Law."

QUALIFIED PUPILS

The decision said that it is possible for the placement act to be applied "so as to admit qualified Negro pupils to nonsegregated schools." Oral arguments in the case from both sides indicated that some North Carolina Negroes had been admitted to previously all-white schools under the act in that state.

The placement act was the first major segregation act passed by the State Legislature. It did not amend the constitution, as did a later act, the so-called "Freedom of Choice" amendment, which was approved in a referendum in August, 1956.

This amendment was designed to give parents the right to say whether they want their children to attend segregated or mixed schools.

The amendment killed the constitutional requirement for segregated schools, but also relieved the state of any responsibility for providing public education.

The placement act was amended in 1957 to give local school boards the same subpoena powers the courts have in calling witnesses in cases where assignment of students to specific schools is questioned.

Pupil Placement Law Upheld in Alabama

Constitution, P. 1

MONTGOMERY, Ala. (AP)—Alabama's school placement law enacted by the Legislature to preserve segregation survived its first court test Friday. A three-judge panel refused to hold it invalid on its face.

The two-year-old law which gives local school boards virtually unlimited police power to say where individual pupils attend school was upheld as a statute which can be administered lawfully.

Sat. 5-10-58

Similar laws in Virginia and Louisiana have been held unconsttiutional, but a placement act in North Carolina brought a federal court ruling there which parallels the decision issued here Friday.

Atlanta Ga

The panel said Alabama's law is more nearly like North Carolina's. Its formula for determining the placement of pupils differs substantially from those in Virginia and Louisiana.

Although the three judges held that the Alabama statute "furnishes the legal machinery for an orderly administration of the public schools in a constitutional manner," they said the law might be ruled invalid later "in its application."

That meant it could be held unconstitutional if proof were furnished that it was being used to discriminate against Negro children.

In the absence of that evidence—and the four Birmingham Negro children who challenged the law made no such contention—

Alabama's School Law On Student Placement Upheld By U.S. Judges

Lawful Use Seen

Three-Man Federal Panel Is Unanimous—But Warns Of Local Responsibility

Appeal p. 1

By The Associated Press

MONTGOMERY, Ala., May 9. —A three-judge panel in Federal Court ruled Friday that Alabama's School Placement Law can be administered in a lawful manner and cannot be held invalid on its face.

1401

The panel turned down a request by four Negro children in Birmingham for a decree holding the two-year-old law unconstitutional and incapable of being lawfully administered.

Memphis Press

In a unanimous decision, Judge Richard T. Rives of the United States Circuit Court of Appeals and District Judges Seybourn H. Lynne and H. H. Grooms of Birmingham said the law "furnished the legal machinery for the orderly administration of the public school in a constitutional manner . . ."

Later Troubles Possible

However, the panel added, the possibility exists that the law may later be held unconstitutional "in its application."

"The responsibility rests primarily upon the local school boards but ultimately upon all of the people of the state," the degree said.

Sat 5-10-58

Enacted by the Legislature in 1956; the law gives local boards almost unlimited authority to say where individual pupils must attend school. But it makes no mention of race or color.

The act sets forth suggested formula to use in determining the admittance of pupils on an individual basis. Among the factors are the background of the pupils and the effect of their admittance in a particular school on the peace and goodwill of the community.

The Birmingham Negroes in challenging the law in court for the first time asked for a decision holding it unconstitutional on its face.

The panel, refusing to rule it invalid on that basis, said the law provides the machinery for a constitutional administration "by the admission of qualified pupils upon a basis of individual merit without regard to their race or color."

The judges said that "we must presume it will be so administered. If not, in some future proceeding it is possible that it may be declared unconstitutional in its application."

The Federal panel took the case under advisement April 3.

The children had asked admittance to Phillips High School and Graymont Elementary School in Birmingham, where only white students now are enrolled.

They charged the schools are nearer to the homes of the students than the schools for Negroes which they now are attending.

One of the children is the daughter of Rev. F. L. Shuttlesworth, Birmingham Negro integration leader who was beaten by angry white men when he attempted to escort a group of Negro children into Phillips last September.

In compliance with the placement law, the Negro children were given tests by Birmingham school officials. Results were never revealed.

The Birmingham officials had not ruled on the Negro application when the suit was filed in Federal Court late last year.

Will wait out ruling by high court

Birmingham's Board of Education members came to the city commission today to suggest a $9 million bond issue, but went away with the idea that it wasn't the proper time.

1401

In the face of staunch objections by all three commission members, a majority of the school board decided to wait until the U. S. Supreme Court rules on the Alabama Placement Law before seeking a bond issue.

Birmingham News

DR. L. FRAZER BANKS, superintendent of schools, presented a proposed bond issue request amounting to $11.5 million.

He had whittled this to a "critically needed $9 million.

Dr. Banks pointed out that three years ago the City Commission agreed a $15 million bond issue was needed for schools. The commission then approved a $6 million issue, and suggested that the school board come back later for the rest of the money.

Thurs 10-23-58

He stressed that the education board today "didn't come to demand anything, but came to discuss what we could do in the interest of the whole city as well as of these children."

The school board has authority to demand a public vote on whether bonds should be issued.

Comptroller Grady Fullerton advised the commission that the city possibly could issue bonds totaling $9 million, to cover all city needs.

HE ALSO POINTED out that when the last $3 million of the previous bond issue was floated last Summer, the syndicate that purchased the bonds had trouble selling them.

Commissioner Eugene Connor was the first commissioner to impose his opposition to a bond issue "at this time."

Connor said that the city would probably have to pay interest rates ranging from 4 to 6 per cent on a school bond issue because of the uncertainty of the racial situation.

He said he felt "we can talk about it more intelligently" after the Supreme Court ruling on the placement law.

Commissioner J. T. Waggoner agreed with Connor, and pointed out several other major needs of the city that would have to be financed on bond issue.

MAYOR JAMES W. Morgan asked where the city would be with a big school debt and empty school rooms if the federal court said integrate and the state laws said close the schools.

Newly appointed School Board Member A. J. Hanes said he felt "the Supreme Court is just itching for a chance to slap us down."

"I think the timing for a bond issue is poor," he added, "and I feel the voters will certainly slap us down."

Mrs. J. C. Sargeant Jr., reiterated similar feelings she had stated in a previous board meeting.

News

Board Member J. A. Holcomb said he felt that a "moderate" issue of possibly $3 million would serve the school board's most critical needs and would have a better chance of surviving a vote of the public.

Thurs 10-23-58

Board President T. R. Broom agreed a moderate issue might be successful, but board member R. F. Whitaker finally agreed "right now I'd have to go against it."

1401

THE ENTIRE board, however, indicated that it would return to seek the commission's approval of a bond issue in the near future.

Morgan proposed double sessions be instituted "during the emergency," but Dr. Banks pointed out that such sessions are contrary to good school management.

The school system, however, is operating now on a double session basis in a few instances.

Hanna Explains Be-Ready Private Schools Setup

Post Herald P. 13

1400 (1)

BY PHIL SMITH

Alabama, it appears today, will have the most highly organized group in the South aimed at thwarting Federally-instigated public school integration.

Where Virginia and Arkansas were not ready, Alabama will be, Birmingham Steelman Walter J. (Crack) Hanna said following his appointment to head a private school group.

We're going to organize private citizens down into each school district, the National Guard major general said.

Mon 10-13-58

He said a trustee of the new "Alabama Education Fund Foundation" (announced by Atty. Gen. Nominee MacDonald Gallion) would come from each congressional district.

Organization will be at county levels, too, Hanna said.

Hanna said the AEF would be composed of "volunteer" business and professional people.

Birmingham

There will be no politicians, representatives of county or city government, or anyone connected with state funds in the group, the general, famed for his Phenix City clean-up, said.

P. 13

"We're going to form a private school corporation that the Supreme Court or nobody can break—and I say that flatly," 58-year-old Hanna said.

"When they close down our schools, you acn tell the Supreme Court we'll be prepared," he said.

anan said that if Arkansas and Virginia had had such preparation, they would not hve been caught in their present dilemma.

"As for rocking the boat (a precautionary warning by State Supt. of Education Austin E. Meadows Friday), the boat's already sunk," Hanna said.

He said: "Anyone with any grain of common sense knows that the Supreme Court is not going to give Alabama break."

Hanna added that his group had no fight with present school organizations.

"We're simply going to assure every student in this state that he acn have the uninterrupted school term he is entitled to."

Hanna said "we're going to be properly financed and prepared."

He said he was not ready to elaborate on Gallion's statement that an endowment fund would be started soon.

Hanna said he wished it emphasized that the new foundation had no connection whatsoever with any present group.

He said he had worked with Gallion and others in pre-organization plans for forming the corporation.

An application will be entered this week for chartering the group as a non-profit corporation, Hanna said.

Hanna said the group was not ready to announce who would belong—either the proposed congressional district trustees or the school district committeemen.

He intimated, however, that plans had proceeded far along those lines.

"When Dictator Earl Warren and his little tin gods who call themselves the Supreme Court, tell Alabama to integrate—we'll be ready to swing into action," he declared.

14d(1) 1958

ALABAMA

Wins Teacher's Job After 13 Yrs.

BIRMINGHAM, Ala. — From school maid to school teacher in 13 years is the success story of one of Birmingham's most ambitious citizens.

The heroine of this Horatio Alger story is Mrs. Lillie Mae Moore who 20 years ago was graduated from high school in Fairfield, Ala.

From that time until Sept. 1958, her principal aim was to teach. However, during that score of years she reared a family, worked for 13 years as a maid at Davis school and attended night school, summer and winter from 1947-1955.

SUMMER GRAD

Mrs. Moore than enrolled in Alabama State college from which she was graduated in August, 1958, receiving the bachelor's degree.

However, mere graduation did not see the realization of all her dreams for she was not appointed a teacher immediately after applying with the Birmingham school system.

It was not until after Mrs. Moore had returned to her job as maid at Davis school that her appointment came through. Thus, one day she was a school maid and the next a teacher, assigned to Lewis school.

Along with her new status went an increase in salary from $80 a month to $333 a month.

DREAM COME TRUE

But more important to Mrs. Moore is the realization of a long dream and an opportunity to do the thing she wanted most.

The new teacher, who has several sisters living in Chicago, says: "I love children and they love me."

Her Chicago relatives are Mrs. Marjorie Harmon of 427 E. Bowen ave.; Mesdames Edna Wansley, Bessie Jones, Louise Johnson and Oranetta Reed.

While serving as a maid at Davis school Mrs. Moore, the mother of two children, headed the PTA at the school. She came from a family of several girls and three boys, all of whom are living.

Defender
14d(1)
P. 11
Chicago
Sat 10-11-58

Ending Public Schools Visioned As A Failure

MOBILE, Oct. 28 (UPI)— A member of the State Board of Education today warned that abolishment of the public schools in Alabama would "set the schools back 100 years . . . and would not work."

Atty. Robert Locklin of Mobile declared the state already ranked 45th among the states in per cent of population over the age of 25 having completed high school and was 46th in current expense per pupil in average daily attendance.

He said closing the public schools would only add to the state's educational problems and "there must be another solution."

He said the teachers of the state schools were paid an average of $900 less than the national average and only 123 of the 556 high schools in the state were accredited to the Southern Association of Colleges and Secondary Schools.

Locklin, addressing the local League of Women Voters, said possible solutions may be offered in the report of the Alabama Education Commission, which is scheduled to make recommendations on the state's long-range school needs to the next Legislature.

He said bolstering the schools, which he added are suffering a severe lack of classrooms, might require increased sales taxes, increased income taxes, an increase in the county ad valorem tax, levying a county sales tax changes in the method of allocating the minimum program funds based on current enrollment, or enactment by Congress of a plan the Heller Plan, whereby new school taxes paid would be directly deductible from income taxes.

Post Herald
P. 4
14d(1)
Birmingham
Ala
Wed
10-29-58

Morning Mail

Private Schools Seem Only Way

The Supreme Court has made clear its intention to have the public schools throughout the whole Southern states integrated regardless of any sort of opposition to it.

The ruling that the state cannot lease public school buildings to private concerns for the purpose of conducting segregated schools establishes the precedent that Congress itself can not enact any law that would in any wise tend to restrict the powers of the Supreme Court.

Neither could the Congress enact any law that would tend to restrict the Executive Department from enforcing any mandates of the Supreme Court, on the ground that such law, or laws, would, ipso facto, be unconstitutional.

So, if these things be true, then it follows that the only hope for the South lies in the abolition of the public school system for both the whites and Negroes, and let education be carried on through private schools by the payment of tuition fees by private individuals out of their own pockets—not out of tax moneys.

The Constitution expressly prohibits the payment of public funds for sectarian purposes.

A. B. CREEL
2213 6th Ter-n, B'ham 4, Ala.

Post Herald
P. 10
14d(1)
Birmingham
Ala
Mon
10-13-58

Morning Mail

Back Private Schools

In some sections of the United States with small or scattered Negro populations it has not been convenient to provide Negro schools, and there the colored students may properly and respectfully be received so as to be taught with white students.

But in the South, where separate schools have been systematically provided, the colored students asking for admittance with the whites are very largely a little "troublesome minority," not really seeking to better their educational opportunities, but being "put up" as trouble makers by certain pressure groups.

If, on a final showdown, integration is to be forced upon us, then, rather than to wrangle with the NAACP and Communists (who are never wrong in the eyes of the Supreme Court), those parents who respect the laws of nature ordained by the Creator, and believe in the efficient application of the principles of education, should exercise lawful privileges of taking their children from public schools, putting them in private schools.

Walter J. Hanna should be encouraged by everyone as he has undertaken the job to head the private school corporation in Alabama. He needs our wholehearted support. We should willingly sacrifice for our convictions.

I am one among many who will never send my children to a mixed school. The thing for the people of Alabama and the South to do now is to work as a team, not fight among ourselves, for the benefit of all, especially our children.

ROBERT L. STOREY,
Birmingham Rt. 10, Box 783.

Post Herald
Birmingham,
Ala
14d(1)
Thurs
10-30-58
P. 12

Close-school threat may slow mixing

BY REX THOMAS

MONTGOMERY, Ala., Nov. 8—(AP)—Atty Gen-Elect MacDonald Gallion suggested today that a threat to close their schools may force Negroes in Alabama to back down on demands for integration.

Gallion proposed to operate white schools with private funds if need be to keep them segregated and at the same time to close Negro classrooms and keep them closed.

He said it is part of the basic philosophy behind the private school theory—a belief that Negro teachers will resist integration to protect their jobs and parents will fight it to keep their children in school.

Gallion's plan

GALLION SUGGESTED passage of a law which would group white and Negro schools together in the same districts, and close all schools in the district if any white institution is ordered to admit Negro students.

Private school corporations, financed entirely with private funds, could reopen the white classrooms, the incoming attorney general continued, but the Negro schools would remain closed.

Gallion's recommendations were spelled out in a written memorandum explaining the nature and purpose of a newly organized Alabama Education Fund Foundation which, as a private attorney, he helped create.

The threatened closing of Negro schools, the incoming attorney general said, would "place the Negro in the position of 'sticking the dagger' in his own throat . . . every time he tried to force integration of a white schools."

Cites teachers

CONTINUING, Gallion said:

The Negro school teachers form one of the strongest groups of leadership in the Negro community, and faced with the loss of a job and the loss of an education for their Negro pupils, they, combined with the Negro parents of school children, could be expected to exert a strong resistance to any forced integration attempts."

Consequently, he said, the "strongest deterrent" to race mixing would be a strong private school foundation ready to pave the way for an immediate changeover from public to private schools for white students.

Gallion emphasized that the new organization which has been described as a private school corporation is actually an educational foundation whose basic purpose is to provide money for private schools.

He pointed out that the foundation itself would make no ef[illegible] operate private schools, [illegible] would function instead as a finan[illegible] agency and a clearing hou[illegible] for private school corp[illegible]ns in the various commu[illegible]

[illegible]eaks as individual

T[illegible] ATTORNEY general-elect, speaking as an individual rath[illegible] than an elected oficial, said [illegible]ns are being made for a fun[illegible]sing campaign on a congres[illegible]nal district and county leve[illegible]

I[illegible]ould include voluntary pay[illegible] deductions, special gifts a[illegible] individual contributions, spr[illegible] out so the pledges could be [illegible] over three to five years if [illegible]essary.

[illegible]allion said the average cost of [illegible]ducating a white student in th[illegible] public schools in the 1956-57 fiscal year was $153.85, or $1[illegible] a month.

H[illegible] predicted the "average pa[illegible] would readily pay this ap[illegible]oximate amount or more to ke[illegible] his child in a segregated sch[illegible]." For those who cannot aff[illegible] the expense, he proposed sch[illegible]rships donated by the endow[illegible]ent fund.

News
P. 1
Birmingham
Ala.
Sun 11-9-58
14d(1)
Ala

News
Birm
11-9-58

PUBLIC SCHOOL OUTLOOK—

Church School System Called Inadequate

Birmingham

BY CLARKE STALLWORTH

If public schools here are closed because of integration, can a system of private schools be established in the chuches?

No, says an official of the Birmingham school system.

"The churches simply are not built for mass usage," said the official, who asked that his name be withheld. "It's been tried in Birmingham, and it's very unsatisfactory."

Birmingham

"I guess you could shelter the children in the churches, but that's about all. The churches have big auditoriums, but few classrooms as such. And you don't have kitchen facilities, lunchroom facilities, playground areas to take care of the children.

Wed. 11-5-58

"Another thing: where would you put your big high schools? Woodlawn is the biggest Birmingham high school, it has about 2350 students. What would you do with them? Split them up on a hodge-podge basis between this church and the next church?

P.

"The teachers, in a situation like this, would undoubtedly leave. There would be no security for them, no pension systems. They would go to other states where they could find security."

The official pointed out that school records show a total of some 25 per cent of Birmingham school children go to Sunday school regularly.

"I realize that a lot more go on an irregular basis. I'd say that about 60 per cent of them would tell you that they go to Sunday School. Even with this figure, however, the churches wouldn't have enough room to take care of the 67,000 children in the Birmingham system.

"Administration would be one of your biggest headaches. Who's going to be responsible for the system?

"There would be a lack of standardization. Your textbooks would cost more, because different schools would use different textbooks.

"The term could be six months in one school, nine months in another. You would have a problem in the accrediting of schools.

"Also, you would have to buy all the textbooks now furnished by the state.

"You would have students of one denomination not wanting to go to school in a school at a different church.

"Say you have a school with maybe 1700 pupils. If you broke up this school and scattered the students among the different churches, you would have a transportation problem . . . you'd have to split your grades up . . .

"A church system would not be adaptable to vocational education . . . or to auditorium programs . . . home economics . . . art . . . athletics . . . physical education . . .

"And I don't know how you would pay the churches for the wear and tear on their building and equipment.

"Remember, you'd have to buy desks and equipment such as that, because the Supreme Court has indicated it won't let you use a single desk from a public school in a private school.

"It's a much bigger problem than just saying close down the public schools and set up in the churches."

PRIVATE SCHOOL GROUP FORMING

'Bama to Be Ready When Warren Acts—Hanna

BIRMINGHAM, Ala. (UPI)—Maj. Gen. Walter J. "Crack" Hanna, who was appointed Saturday to head Alabama's private school corporation, said Sunday that where Arkansas and Virginia were not ready, Alabama will be.

"We're going to organize private citizens down into each school district," the 58-year-old National Guard general said. A trustee for the corporation will come from each of the state's congressional districts and organization will also be at county levels, he said.

"When Dictator Earl Warren and his little tin gods who call themselves the supreme court tell Alabama to integrate," the general said, "we'll be ready to swing into action."

Formation of the corporation, named the "Alabama Education Fund Foundation," was announced last Thursday by Democratic Atty. Gen. nominee McDonald Gallion of Montgomery. Gallion made the announcement Saturday of Hanna as the group's board chairman.

Hanna said the group will be composed of "volunteer" business and professional people. There will be no politicians or local government officials in the group, said Hanna, who led the famed vice cleanup of Phenix City in 1954.

"We're going to form a private school corporation that the supreme court or nobody can break—and I say that flatly," he predicted.

"When they close down our schools, you can tell the supreme court we'll be prepared," he added.

WITHOUT INTERRUPTION

"We're simply going to assure every student in this state that he can have an un-interrupted school term he is entitled to."

Alabama could be no more successful in acquiescing to the court's demand and trying to operate its schools under integration than some of the present failures in New York, Ohio and Illinois, Hanna said.

The Birmingham steel man served as adjutant general under former Gov. Gordon Persons. He has been widely mentioned as possibly the next commander of the 31st (Dixie) National Guard division.

Hanna said the group was not ready to announce who would belong, either the proposed trustees or the school district committeemen. However, he intimated that plans had proceeded far along these lines.

He said the organization would be chartered this week as a non-profit corporation.

1440

Challenged by Negroes—

Court may rule on Birmingham case

Ala

BY JAMES FREE, News Washington correspondent

Birmingham News

WASHINGTON, Sept. 23—The Supreme Court's first ruling on any of the pupil assignment laws enacted by Southern states could be made on a case appealed from Birmingham.

Attorneys for four Negro students have asked the high tribunal to take jurisdiction of their appeal from the decision of the three-judge Federal Court in Birmingham last May 9 on the Alabama placement law.

Birmingham

Tues 9-23-58

These attorneys claim that the Alabama law is "unconstitutional on its face" and that it would "freeze segregated school systems."

P1

(In their unanimous ruling, Judges Seybourne Lynn, H. H. Grooms, and Richard T. Rives held that the Alabama law was constitutional on its face, but that it might prove to be unconstitutional in its application.)

THE FOUR Negro students—Ruby F. Shuttlesworth, Denise Armstrong, Wathaw Avery and Nathaniel Horton—last year declined to report to Birmingham school authorities for assignment under the new law. Earlier they had simply applied for enrollment in white schools, and their attorneys said the placement law was purely a device to preserve segregated schools.

Since the National Assn. for the Advancement of Colored People is barred from operating in Alabama under a case still pending in a Montgomery court, attorneys for the students are not Alabamians.

They are Ernest D. Jackson Sr., of Jacksonville, Fla., and James M. Nabrit Jr., and James A. Washington Jr., both of Washington, D. C. Nabrit is the dean and Washington is a member of the faculty of Howard University law school.

The Supreme Court so far has not ruled on constitutionality of so-called pupil placement laws. Lower courts have upheld the North Carolina law, as well as the Alabama law; but have declared Virginia and Louisiana laws unconstitutional.

IN NEARBY Arlington, Va., Federal Judge Albert V. Bryan last week, in effect, upheld the placement of 26 Negro students by the county school board but disagreed with it (or overruled it) on four other assignments of Negro students. He ordered the four Negroes admitted to Arlington schools next January. Net effect of Bryan's action was to at least uphold the Virginia placement law in individual cases in which the "guide adopted is the circumstances of each child, individually and relatively."

News

Tues 9-23-58

IN REPLY to the argument of NAACP attorneys that the Virginia law was unconstitutional on its face and was aimed at preserving segregation, Judge Bryan said such judgment was premature and would have to be demonstrated in the actual operation of the law. The judge pointed out that, if any and all placement laws were to be considered unconstitutional on their face, then no state would ever be able to set up any kind of a new pupil placement system.

It is NOT certain, of course, that the Supreme Court will accept jurisdiction of the Birmingham case. If it does, then a date for oral arguments will be set, and both sides will be permitted to file briefs.

While the Birmingham Board of Education can file a brief in opposition to the "jurisdiction statement" filed by Negro attorneys, it had NOT done so up until this writing.

State Chief Justice Foresees No Integration For Alabama

Advertiser

Montgomery, Ala

MOBILE (AP) — Chief Justice J. Ed Livingston of the Alabama Supreme Court predicted Monday that Alabama public schools will never be integrated.

"It may take private schools entirely," Livingston said at a meeting of the Mobile Bar Assn.

"I know it will be hell and a lot of chaos," he continued. "But I doubt not that the people of Alabama will rise up in indignant wrath and say to those who oppose: 'You shall not pass.'"

1440

Wed 12-31-58

Livingston also said he was afraid that recent actions of the U.S. Supreme Court have endangered our form of government.

"We are passing through a perilous time in the history of this country, he said.

P8

"If that court is not curbed, I don't know how long it will be before this government — as our forefathers conceived it — passes from this earth."

Livingston added that "if something doesn't happen quickly, we will wipe out — or have wiped out for us — every vestige of a state line in the United States."

Gallion Plan Seen Easing Negro Demand

P1

Advertiser

Montgomery

By REX THOMAS
AP Staff Writer

Ala

Atty. Gen.-elect MacDonald Gallion suggested Saturday that a threat to close their schools may force Negroes in Alabama to back down on demands for integration.

Sun 11-9-58

1440

Gallion proposed to operate white schools with private funds if need be to keep them segregated, and at the same time to close Negro classrooms and keep them closed.

He said it is part of the basic philosophy behind the private school theory—a belief that Negro teachers will resist integration to protect their jobs and parents will fight it to keep their children in school.

SAME DISTRICT

Gallion suggested passage of a law which would group white and Negro schools together in the same districts, and close all schools in the district if any white institution is ordered to admit Negro students.

Private school corporations, financed entirely with private funds could reopen the white classrooms, the incoming attorney general continued, but the Negro schools would remain closed.

DAGGER IN OWN THROAT

Gallion's recommendations were spelled out in a written memorandum explaining the nature and purpose of a newly organized Alabama Education Fund Foundation which, as a private attorney, he helped create.

The threatened closing of Negro schools, the incoming attorney general said, would "place the Negro in the position of 'sticking the dagger' in his own throat. . . Every time he tried to force integration of a white school."

Continuing, Gallion said:

Advertiser

Sun 11-9-58

"The Negro school teachers form one of the strongest groups of leadership in the Negro community, and faced with the loss of a job and the loss of an education for their Negro pupils, they, combined with the Negro parents of school children, could be expected to exert a strong resistance to any forced integration attempts. . ."

1440

Ala

Gallion emphasized that the new organization which has been described as a private school corporation is actually an educational foundation whose basic purpose is to provide money for private schools.

CLEARING HOUSE

He pointed out that the foundation itself would make no effort to operate private schools, but would function instead as a financing agency and a clearing house for private school corporations in the various communities.

The attorney general - elect speaking as an individual rather than an elected official, said plans are being made for a fund-raising campaign on a congressional district and county level.

It would include voluntary payroll deductions, special gifts and individual contributions, spread out so the pledges could be paid over three to five years if necessary.

Gallion said the average cost of educating a white student in the public schools in the 1956-57 fiscal year was $153.85, or $12.81 a month.

He predicted the "average parent would readily pay this approximate amount or more to keep his child in a segregated school."

Dismissal Of Negroes' Appeal Asked

Birmingham Board Files Motion In Supreme Court

Birmingham

BY IVAN SWIFT

Attorneys for the Birmingham Board of Education have filed a motion in the U. S. Supreme Court asking [illegible] to dismiss the appeal brought by the Negroes who lost their suit against the Alabama School Placement Law here.

1440

Birmingham

The Supreme Court was asked to affirm the decision of Judges Richard T. Rives, Seybourn H. Lynne and H. H. Grooms, calling the school law constitutional.

Sat 10-11-58

The decision against the Negroes was given May 10. They appealed it to the Supreme Court July 8.

P2

The attorneys, Joseph F. Johnston, Reid Barnes and Ormond Somerville, said the motion they filed is, in effect, a request that the high court throw out the appeal.

The case went into Federal Court in December, 1957, when a group of Negroes lead by the Rev. Fred L. Shuttlesworth filed a petition asking the court to allow their children to attend Phillips High School and Graymont Elementary.

The basic claim of the suit was that the Alabama school placement law is unconstitutional — or, if it is constitutional, that it is being used unconstitutionally.

The Negroes said that their children are not being allowed to attend the schools closest to their homes.

It was filed as a class action, with all Negro children included in the class.

Because the case involved a test of a state law, a three-judge panel was ordered to hear the case.

One of the judges, Rives, is a member of the Fifth Circuit Court of Appeal, so the case went directly to the Supreme Court from here, skipping the appeals court stage.

The original petition mentioned that the Board of Education had begun testing and interviewing as called for by the school placement law, but the Negroes claimed they had been unable to get a decision one way or another from the board.

Negroes had asked the board of education in August, 1957, to allow the children to attend white schools, about four months before they went into court.

The case was heard in Federal Court here on April 3.

The Negroes said the placement law is designed to "defy" the Supreme Court's ruling in favor of integrated schools.

Attorneys for the board called the action premature and said the Negro children hadn't used all the facilities of the school placement law before coming into Federal Court.

The Federal judges ruled May 9, saying "the school placement law furnishes the legal machinery for an orderly administration of the public schools in a constitutional manner by the admission of qualified pupils upon a basis of individual merit without regard to their race or color."

The ruling pointed out that it is limited to the "constitutionality of the law upon its face."

The judges said that some court proceeding in the future may find that the law is being used in an unconstitutional manner.

It probably will be a month or two before the Supreme Court rules on the case.

Court Can't Meddle In Family Dispute

14d(i) aaa

No Right To Decide What School Child Attends, Rules Tribunal

MONTGOMERY, Nov. 6 (AP)—The Alabama Supreme Court decreed today that courts have no right to step into a family dispute and decide what school a child should attend.

Reversing a decision of the Montgomery Circuit Court, the states highest tribunal said questions such as this should be resolved within the family.

The ruling came on a appeal by Mrs. Jack Kilgrow, a Baptist, and set aside an injunction which had prohibited her from interfering with her Catholic decision to send the two-year-old daughter, Margaret, to a Catholic school in Montgomery.

In issuing the restaining order requested by the husband, Circuit Judge Walter B. Jones said it was to the child's interest to remain in school where her father had placed her."

11-7-58

The Supreme Court, in an opinion written by Justice John L. Goodwyn, didn't go into the merits of either parent's arguments. Instead, the court decided that such disputes have no place in court.

"It seems to us," Goodwyn wrote, "if we should hold that a court of equity has jurisdiction in this case, such holding will open wide the gates for settlement in equity of all sorts and varieties of family disputes concerning the upbringing of children."

The father based his injunction suit in part on a agreement between the couple which stipulated that all children would be "baptized and educated" in the "religion of the father, whether he is living or dead."

Although attorneys for Mrs. Kilgrow argued that constitutional questions were involved, the Supreme Court said it didn't feel that it was necessary to consider such issues "in view of what we have said."

Mrs. Kilgrow's attorneys contended Jones' order amounted to "giving preference by law to a particular religious group in "violation of the First and 14th Amendments to the U. S. Constitution.

14d(i)

In another opinion, the Supreme Court dissolved a divorce degree granted in De-Kalb County to a husband who claimed his wife was pregnant at the time of their marriage Aug. 10, 1957, at Trenton, Ga.

Although Alabama law allows divorces on such grounds, the court said the husband, Johnny Vaughn Smith, didn't produce enough evidence to back up his claim.

The only evidence offered, the court said, were sworn statements by Smith and his mother saying the wife, Clara, admitted to them she was pregnant. This was hearsay testimony and insufficient to support the divorce degree, the Supreme Court added.

In a third decision, the tribunal overruled the death sentence of Columbus Boggs, alias Richard English, a Negro convicted of killing a white storekeeper, M. L. Chance, in September, 1957. Boggs was sentenced to death by a Circourt Court Jury at Selma last Dec. 2.

The sentence was set aside on grounds that the trial court allowed the state to offer evidence which the defense contended was prejudicial. This evidence had to do with a pistol which the state contended Boggs had stolen some time before the shooting.

Educators Discuss Closing, Proceed With Public Needs

Advertiser p1

The Alabama Education Commission took note of the possibility of abolishing Alabama's public school system Thursday' but proceeded nevertheless with a study of long-range public school needs.

It announced a schedule of public hearings starting Jan. 5 to throw the various committee reports open for discussion before the commission makes its final recommendations to the legislature.

10-31-58

Committee reports dealing with finances, school personnel and other phases of the education problem will be made public between Nov. 15 and Dec. 10.

From them, the parent commission plans to draft its tentative report subject to change later following the public hearings which run through Jan. 8.

The law created the educational study group requires a report to the new Legislature at its organization session which starts Jan. 13.

But Chairman Joe Dawkins of Montgomery said it may be impractical to make a final report befort the organization session ends Jan. 23, and that the commission may have to ask for more time.

Dawkins told his colleagues when the public vs. private school issue came up that in his opinion the commission will finish its work on the presumption that the public school system will remain intact.

He said the commission was created to study public needs and make its recommendations to the Legislature for solving them. And, he added, "It is my feeling that the committee will adhere strictly to the law and so inform the Legislature."

Arson Try At Negro School In Suburban Prichard Fails

MOBILE (AP)—An attempt was made to burn a Negro school in suburban Prichard over the weekend, police said Monday. Four other schools in the area were vandalized.

Officers said a wooden sill beneath the Chickasaw Terrace School building actually was set afire but went out. They said the arson attempt apparently was the work of juveniles.

A carton of waste paper was ignited under the sill and another carton of paper was set off in the principal's office. The latter burned out without doing any damage.

11-6-58

In addition, a wooden platform outside the principal's office was doused with kerosene. It was not set afire.

Deputy State Fire Marshall Holt Stewart of Bay Minette was called to aid in the investigation.

Prichard police said Vigor High School and Bienville School also were broken into over the weekend. Both are white schools.

School Bond Issue Held Up By Placement Law Battle

Montgomery Advertiser

BIRMINGHAM (AP)—The battle over Alabama's School Placement Law, which is designed to preserve segregation in state public schools, is holding up a Birmingham school bond issue.

The City Commission Thursday objected to Birmingham Board of Education proposals for a nine-million-dollar bond issue for what was described as badly needed school construction.

The three members of the commission expressed unanimous objection to the proposal, which board members indicated would be offered again.

Mayor James W. Morgan asked what the city would do with a big school debt and empty schools if the federal courts ordered racial integration and the state ordered the schools closed.

Commissioners Eugene Connor and J. T. Waggoner agreed with Morgan. Connor estimated that the city probably would have to pay interest rates ranging from 4 to 6 per cent because of uncertainty over the school situation.

The placement law gave local school boards broad authority in assigning pupils to schools.

A federal court suit was filed by parents of Negro children seeking admission to two white schools in Birmingham. The Board of Education never acted on the applications.

14d(1) 1958 ALABAMA

School Law In Alabama Ruled Valid

Times Union

Jacksonville Fla

p. 7

5-10-58

MONTGOMERY, Ala., May 9 (AP)—A three-judge panel in federal court ruled today that Alabama's school placement law can be administered in a lawful manner and cannot be held invalid on its face.

The panel turned down a request on behalf of four Negro children in Birmingham for a decree holding the two-year-old law unconstitutional and incapable of being lawfully administered.

In a unanimous decision, Judge Richard T. Rives of the U.S. Circuit Court of Appeals and District Court Judges Seybourn H. Lynne and H. H. Grooms of Birmingham said the law "furnished the legal machinery for the orderly administration of the public school in a constitutional manner . . ."

However, the panel added, the possibility exists that the law may later be held unconstitutional "in its application."

Enacted by the Legislature in 1956, the law gives local boards almost unlimited authority to say where individual pupils must attend school. But it makes no mention of race or color.

The act sets forth suggested formulae to use in determining the admittance of pupils on an individual basis. Among the factors are the background of the pupils and the effect of their admittance in a particular school on the peace and good will of the community.

Gallion Maps Plan For Tax Refunds To Support Private Schools In State

Advertiser

Montgomery Ala.

9-23-58

p 5A

MacDonald Gallion, Democratic nominee for attorney general said Monday he is working on a tax rebate plan to finance private schools in Alabama if other steps fail in the fight for segregation.

He said the details haven't been worked out, but that generally the plan would call for a refund of a proportionate share of tax money to the parents of school children instead of trying to finance private schools with public funds.

Under Gallion's plan the schools still would be closed as they have been in Little Rock and Virginia and turned over to private corporations for operation.

However, the attorney general nominee, who takes office in January, said the tax refunds would not be confined to school use. He said this would divorce as far as possible the private school operation from state control.

"There are many problems to consider and I'm trying to figure out all the angles," he said.

"One of the most difficult angles," he continued, "is trying to develop a workable formula. Some families pay more than enough taxes to keep their children in school. Others don't pay enough."

He pointed out that it cost $165.77 to keep the average child in school during the 1956-57 fiscal year. Added to this amount is an additional sum for building construction and the payment of debts.

The tax refund idea is being considered merely as an alternative to other devices for getting around the Supreme Court's decree on school integration.

Already on the books is a law passed in 1957 which gives local boards of education the right to close integration - threatened schools. They then would be allowed to turn the property over to private corporations and use state funds for student's tuition.

There is some fear among legal authorities, however, that the federal courts may rule out the use of public funds as a means of blocking integration.

But that's where the refund plan comes in.

Some legal authorities feel the courts would tend to look with favor on the plan to return money to the taxpayer to use as he sees fit.

But since Alabama has a "freedom of choice" amendment written into the constitution, both the refund and private school plans are considered "last resort" actions.

The "freedom of choice" amendment gives parents the right to choose whether they'll send their children to segregated or integrated schools.

Another law gives the school boards almost unlimited power to say where individual pupils are to attend class.

This statute, called the placement law, has survived its first court test. It now has been appealed to the Supreme Court following an opinion handed down by a three-judge panel that the law can be administered legally.

MacDONALD GALLION
Private School Plan

Dr. Meadows'
Washington Mission

Advertiser

p 4A

Montgomery Ala

Wed 9-10-58

14d(1)

WITH the passage of the 1958 National Defense Education Act, this year will be remembered along with 1785 and 1862.

The Northwest Ordinance of 1785 set aside public lands for schools; the Morrell Land Grant College Act of 1862 made public universities and mass higher education possible. This year's Education Act offers aid to states in their efforts to elevate the standards of American schools to meet the Soviet challenge.

There are dangers in federal aid to education of course. It should never be allowed to become so high as to jeopardize local control. This would frustrate tragically the very intent of this year's act—to protect the American way of life through education.

The $1 billion provided by the act looks like a lot of money and it is. But actually it will add only a little more than 1% to the nation's spending on education over the next four years. Of the total, about $300,000,000 will be used for 10-year, 3% loans to students who would otherwise be unable to attend college.

Congress has appropriated only $40,000,000 to start the billion-dollar program. From this initial allocation Alabama will get $88,625 for loans to college students; $484,113 to buy science, math and language equipment; $11,067 for loans to private schools so they can buy that type of equipment; $116,286 to improve high school guidance programs; $104,993 to add technical courses to vocational educational curricula.

It will be left to the colleges and universities to decide which students will receive federal loan money. For every $9 received in federal money for this purpose, the college must provide $1.

The federal money for equipment and improving guidance programs will be controlled by the State Department of Education. But the state must match federal money for this purpose on a dollar for dollar basis.

Many educators consider high school guidance & counseling the most important provision of the act. Special talents and abilities that might have been mistaken for peculiarities may now be recognized early enough to help direct bright students into fields for which they are best suited. And students whose abilities run more to manual arts could be advised to follow their natural endowments.

This, admittedly, will call for a degree of "academic evangelism," but it is important work often overlooked or slighted in many U.S. high schools.

All in all, the act is a bold experiment in pump-priming American education. Whether it will pay off in intellectual dividends or prove a costly flop will depend to a great extent on what is worked out at next week's conference in Washington, which Alabama's Dr. Austin R. Meadows and the education chiefs of all other states will attend.

Church-School Plan Seen As Segregation Solution

BY IVAN SWIFT

"The stark, naked reality is that our public school system is at the end of its term and something must be innovated to take its place."

That statement comes from Grover S. McLeod, Birmingham attorney, who also points out that "the machinery of Alabama has been set in order to abolish the public schools in this state but nothing has been done to institute a system to duplicate the present school system.

McLeod has an idea for an alternate plan he believes is workable.

It involves private church-schools.

14(D)

Birmingham

News

McLeod is for continued segregation. A paper he wrote makes that plain. But he, as a lawyer and a student of court decisions involving racial questions, accepts the fact that sooner or later the public schools of Alabama will be closed.

Birmingham

Ala

He says Alabama needs a plan for a school system to begin after the court order Alabama schools to integrate, and they are closed by state law.

Here is the background for his church-school plan.

"Most Protestant churches in Alabama have large physical plants. They have education buildings that are little used except on Sunday. They would be the classroom buildings of a wnew school system.

9-26-59

Next he takes up finances. Here is the gist of what he has to say on that.

P.

". . . the state may readily say that it collects so much money for the purpose of education and that each child is entitled to a specific amount for education. In other words, if a child is entitled to $200 per year for education, the parent or guardian would be mailed the sum which was set at the beginning of the school year. The parent could take the $200 and pay the specific church school (his child attends) or he could take the sum . . . and do as he liked. But those that attended a school would pay for their education."

McLeod said this would not be unlawful use of state money because there wouldn't be any control over the way the parent spent the money.

The system would abolish compulsory education, but it would mean competition for good pupils, good teachers and good schools, he said.

Poor students could be dismissed. Poor teachers could be fired. Poor schools would lose their pupils.

Negroes would operate under the same set-up. They would have to establish their own schools and pay for them the same way.

So far as teachers are concerned, McLeod says, group retirement programs could be worked out. And he says under his plan teachers would earn a higher salary because "there will be less waste on administration and physical plants."

And parents who don't want to send their children to a church school can send them to a private school, or teach them at home. McLeod predicts that there will be plenty of private schools.

And he says that schools will operate on a college preparatory basis, so pupils won't have difficulty in passing college entrance exams.

He predicts that "your student would be better educated and better prepared to face . . . life. Necessarily, you would foster a new generation of leaders."

14d(1) 1958

Decision Likely In October On School Placement Law

Montgomery Advertiser

Wed. 7-9-58

BIRMINGHAM (AP) — The U.S. Supreme Court probably will rule on the validity of Alabama's School Placement Law and the Birmingham school board's use of the law in October.

Montgomery Adv

A group of Birmingham Negroes who lost a suit in U.S. District Court against the school board May 9, 1958, filed notice of appeal to the nation's highest court Monday.

P. 1B

14d(1)

The appeal notice came one day before the deadline.

This appeal was the only alternative left to the Negro group after a three-judge federal court ruled in favor of the school board in refusing to admit four Negro children to two Birmingham all-white schools.

The federal court was made up of U.S. District Judges Seybourn H. Lynne and H. H. Grooms and U.S. Circuit Judge Richard T. Rives.

The four Negro children included Ruby Fredericka Shuttlesworth, teen-age daughter of the Rev. F. L. Shuttlesworth, integration leader. She is seeking admittance to Phillips High School.

Others are Denis Armstrong, Wathaw Avery Jr., and National Horton. The court action was filed by their parents.

The appeal raises these questions:

Whether the school placement law is valid on its face on the light of legislative history; whether the U.S. District Court is restrained from determining the constitutionality of determining assignment or transfer of pupils under the law, and whether the school board, when charged with applying all criteria and making a determination under the law, failed to make such a determination.

The U.S. District Court decision of May 9 held that the school placement law is constitutional on its face and furnishes legal machinery for admittance of qualified pupils upon a basis of individual merit without regard to race or color.

The Negroes first attempted to enter Birmingham white schools in August, 1957. A group of parents petitioned the shcool board to transfer their children from Negro schools to Graymont Elementary School and Phillips High School.

GENEVA PLANNING
SYMPATHY DAY

Geneva(AP) All public schools in Geneva County will suspend classes for a day Dec. 1 in sympathy for segregation defenders in Little Rock.

James A. Mulkey, Chairman of the Geneva County Board of Education, said the action was taken at a board meeting when a strongly-worded resolution was adopted which condemned the U.S. Supreme Court for its "unconstitutional" decision on mixing races in the public schools.

Advertiser
pl.
Wed. 10-8-58
Montgomery, Ala.

ALABAMA

Boutwell addresses AIA—

Local governments scored for not doing fair share for schools

Birmingham News

Birmingham, Ala.

Fri 10-24-58

14d(1)

Ala-

P. 3

Failure of the local governments in Alabama to "do their fair share for education" was scored by State Sen. Albert Boutwell in a talk to the Associated Industries of Alabama yesterday.

Sen. Boutwell, who also is the Democratic nominee for lieutenant governor of Alabama, said local governments in Alabama provide only 20 per cent of the amount needed for education against a national average contribution of 62 per cent by local governments over the country.

"We must encourage our local governments to share more of the burden of public education, thereby leaving more money from the state level to be used for the institutions of higher learning which have no taxing power," Sen. Boutwell said.

"Another weakness in our program for financing education is the inadequate average annual income of the people of our state to pay the taxes necessary to meet the national educational standards."

SEN. BOUTWELL pointed out that the business recession caused educational appropriations to fall more than $8 million short of expectations. The taxes which support education, such as sales, use, tobacco and income taxes, are very sensitive to business conditions, he said.

Sen. Boutwell said he feels the next administration should give every encouragement to help our present industries to expand and to make it profitable for new ones to locate in Alabama. With the expansion of industry comes purchasing power to the people of our state. The great hope for raising our educational standards in the state lies in the industrial expansion of our state.

"I believe that at least 10 per cent or about $3½ milllion can be saved from our present general fund appropriations without reducing the essential services. Many economies can be effected by the shrinking of departments which have been over-expanded. This saving, with increased revenues due to better business condition, will permit some of our essential services to be improved. It will permit a larger appropriation for the old-age pension programs, which is strongly advocated by the next administration.

"THE NEXT ADMINISTRATION will make a sincere and serious effort to secure reapportionment of our Legislature. It will adopt a new insurance code which will give greater protection to every policyholder in our state.

"There will be a half billion dollar road program without the impositon of additional taxes. Other fields of transportation such as waterways and airways will also be improved.

"In my opinion, the right-to-work bill will not be repealed. I also believe that the present exemptions from the sales tax granted to industry, farmers and others will be retained.

"OUR CITIES have many new problems caused primarily by rural people moving to town and generally the demand for greater services at the local level. The next Legislature should give our cities and our counties more authority to enable them to solve these new problems at the local level.

"I shall urge that a strong legislative committee be set up to see that segregation in our state is maintained, and I believe that it is necessary that we have a committee in Alabama to work with the leaders of our other Southern states to have a permanent nation-wide organization to formulate plans to fight the federal invasion of our states' rights at the national level. The segregation problem is a very important part of the broader question of maintaining states' rights.

Alabama Plans Private Schools In Emergency

Jackson News

By JACK STILLMAN

BIRMINGHAM, Ala. (AP) — A private corporation is being set up in Alabama to operate private segregated schools if the state's public school system is closed because of racial integration threats.

14d(1)

The announcement of the corporation's plans brought a prompt warning from State School Supt. Austin R. Meadows: "Don't rock the boat."

Jackson, Miss

That such a corporation is being formed was announced Thursday by attorney MacDonald Gallion of Mostgomery, Democratic nominee for state attorney general. His election in November is virtually assured because he is a candidate of the dominant Democratic party.

Fri 10-10-58

Meadows said that he does not see how it will be practicable to get teachers and facilities needed for prviate schools "when we haven't been able to build enough public schools."

P. 18

The school superintendent also said he doesn't think it will be possible to establish tax-free private schools to get around the U.S. Supreme Court's 1954 decision outlawing segregation in public schools.

Another School Segregation Case To Supreme Court

WASHINGTON, D. C. — (NNPA) — Another school desegregation case has reached the Supreme court.

14d(1)

Ruby Fredericka Shuttlesworth, through her father, the Rev. F. L. Shuttlesworth, Birmingham, Ala.

Call

Sun 9-14-58

Kansas City Mo

p. 4

minister, is asking the high court to review the decision of the Federal District court at Birmingham upholding the constitutionality of the Alabama pupil assignment law.

According to the jurisdictional statement filed in the Supreme court, the colored children who filed the suit are eligible to attend Birmingham public schools. They applied to the Jefferson County (Birmingham) Board of Education on August 21, 1957, for transfer to previously all-white schools nearest their homes.

The superintendent of schools requested their parents to present the children on September 16, 1957, to the Guidance Center at Thomas school to take tests.

On August 28, 1957, the state superintendent of education wrote a letter to the parents of the children urging them to support their local school board in its assignment of children to schools. He said:

1. More colored people finished high school in Alabama than in any other state.

2. Colored elementary school teachers received higher average yearly salaries than the state average because of higher training and that colored teachers in Alabama were better educated than the average of the nation.

"Why should you try to take your children away from such highly trained teachers?" he asked.

3. A higher percentage of colored children of school age were enrolled in school last year than the state average.

4. "Why do you want to change the conditions that produce these gains for you?"

5. On August 28, 1956, Alabama voted to change the state constitution by abolishing the right of education or training of any individual at public expense. Under the 1956 amendment, schools can be abolished, and the school buildings rented or given to individuals to operate private schools.

"If you refuse to cooperate with the city board of education in the school placement of your children," the state superintendent wrote, "you will in effect invite the abolishment of public schools."

Instead of presenting their children for tests, the parents requested an interview with the superintendent. He advised them that it would be necessary first to present their children for the tests.

The children were presented for the tests last October 7. In November the superintendent interviewed their parents. But no action has been taken on the requests for transfers to non-segregated schools.

The petitioners brought suit December 18 to enjoin the Birmingham school board from enforcing the Alabama School Placement Act of 1957. They contended that it was unconstitutional.

The Federal District court on May 9 denied an injunction. It held that the law was constitutional on its face and furnished the legal machinery for the admission of qualified pupils upon a basis of individual merit without regard to their race or color.

The petitioners assert that the purpose and intent of the law is to subvert the constitutional right to attend non-segregated schools.

They say that while the Federal District court refused to consider the constitutionality of the statute because the Alabama Supreme court had failed to interpret it, it nevertheless declared the law constitutional and dismissed the case.

Attorneys for the petitioners are Ernest D. Jackson Sr., of Jacksonville, Fla., and James M. Nabrit Jr., and James A. Washington, both of Washington, D. C.

Call

Our Private Schools—

If Integration Closed Schools, Private System Would Be Costly

Post Herald p. 1 Birmingham, Ala.

Wed. 10-29-58

BY CLARKE STALLWORTH

In the city of Birmingham, some 67,000 students attend public schools.

The question has arisen: What will happen to these students if integration is ordered here, and the schools are closed?

Private schools have been suggested. In an effort to find out some of the possible problems of setting up a private school system. The Post-Herald asked some questions of Dr. L. Fraser Banks, city school superintendent.

Some facts:

Teaching the 67,000 students are some 2500 teachers, principals, and school personnel. The average salary per teacher in Jefferson County is around $4000 a year.

There are 96 schools in Birmingham, eleven high schools and 85 elementary schools.

The value of the school system, according to Dr. Banks, is in the neighborhood of $31 million.

How much would it cost to replace the present city school system? Dr. Banks wouldn't hazard a guess.

"But to replace some of our buildings, the cost would be more than doubled," he said.

To build a classroom in an average school, Dr. Banks said, costs the Birmingham Board of Education about $15,000.

The average number of students in Birmingham classrooms is approximately 32.

Dividing this figure into the 67,000-student total, it would appear that some 2100 classrooms would be needed in a private school system which could take care of Birmingham's needs.

The figure of 2100 classrooms, at approximately $15,000 a classroom, would amount to some $31 million for classrooms alone. There would be other expenses for gyms, kitchens, lunchrooms, auditoriums, rest rooms, etc.

One school official estimated that—if you took $31 million as the figure which would have to be raised to build a new school system — it would cost parents some $500 to $1000 each at the beginning for the school buildings.

There would be additional cost for operation of the private school system. At present, the State of Alabama pays an average of $170 per pupil on a statewide basis every year to the school systems.

In Birmingham the average per-pupil expenditure per year —state and local money — is about $186.

So a yearly tuition charge of at least $186 could be expected.

Vandals Smash County School

Talladega Home

Talladega, Ala

Mon. 10-27-58

Burglars "ransacked" Chandler Springs School during the weekend, apparently looking for money, county deputies reported.

Several windows were broken; locks pried open; [illegible] half pints of milk and cholocate milk stolen; and the school records "turned upside down", said J. L. Norred, chief deputy.

The breakin occurred sometimes between Saturday night and Monday morning, officers were told by school authorities.

It had not been done when a PTA meeting was held at the school early Saturday night.

"Records, books and papers were scattered all over the floor and the place ransacked," said the chief deputy.

Missing from the school medical supplies were rubbing alcohol, band aids, cough syrup and indigestion medicine, Mr. Norred said.

Locks were pried off both windows and doors of the school, and also off an outside pumphouse and an adoining storage room.

The back was torn off a bookcase, following an unsuccessful attempt to open the front, Mr. Norred said.

Apparently the same tools were used on all the locks, he added.

No money had been left at the school, officers were told.

Investigating were Officers Norred, Pat Cooper and Arthur Denton.

The rock quarry scale house at Eastaboga, where trucks are weighed, was broken into, officers said.

A supply of tools were taken, the sheriff was informed.

14d(1) 1958

ALABAMA

✓

U. S. JUDGES UPHOLD PLACEMENT ACT

Decision Here Faces Attack, Negroes Imply

14a(1)

BY IVAN SWIFT

Alabama's School Placement Law was ruled constitutional and a request for an injunction against it by a group of Negroes was turned down in Federal Court here yesterday.

Ala

The case was heard here April 3 by Federal Judges Richard Rives, Seybourn H. Lynne and H. H. Grooms and all three concurred in the decision.

The 20-page decision says "the school placement law furnishes the legal machinery for an orderly administration of the public schools in a constitutional manner by the admission of qualified pupils upon a basis of individual merit without regard to their race or color."

Post Herald

The judges compared the Alabama law to the North Carolina law which also has been ruled "not unconstitutional."

P.1

And they mention that under the North Carolina law some Negro children have been admitted into schools that formerly were all-white.

The Rev. Fred Shuttlesworth, father of one of the children named in the petition, said he is "pretty sure there will be further proceedings, but I'm not sure where."

Shuttlesworth said "there are no plans to quit the fight until we have all the constitutional rights everyone else does regarding public places."

Sat. 5-10-58

An appeal would go directly to the Supreme Court in Washington, since Judge Rives, who ruled on the case with the Birmingham Federal judges, is a member of the Fifth Circuit Court of Appeals.

Birmingham

The ruling emphasizes that it limits itself to "the constitutionality of the law upon its face."

It says that some future court proceeding may find that it is "unconstitutional in its application."

Ala.

Attorneys for the Negroes argued that the intent of the law is to deprive the Negro children trying to get into white schools of their constitutional rights, but the judges quote from previous decisions to rule that out.

They say "in testing constitutionality 'we cannot undertake a search for a motive'," and "'If the state has the power to do an act, its intention or the reason by which it is influenced cannot be inquired into'."

Sen. Albert Boutwell, chairman of the Joint Legislative Committee to maintain segregation in Alabama, which drew up the original bill in 1955, said he expected the "able court" to decide the school placement law is constitutional.

The law, which was amended in 1957, was brought out by all the members of the Senate in the 1957 session when it was approved.

The attempt to integrate Birmingham public schools actually began Aug. 21, 1957, when a group of Negro parents petitioned the Board of Education to admit their children to white schools.

They asked the board to "reorganize" the school system so Negro children could attend schools that are closest to their homes.

The board set up testing sessions Sept. 9 and 10, and another session Sept. 16.

The children, Ruby Fredericks Shuttlesworth, Denise Armstrong,, Wathaw Avery and Nathaniel Lee Horton, did not show up Sept. 16 for the tests.

A new date was set and they did come Oct. 7. In November their parents were interviewed.

On Dec. 18 the complaint ruled on here yesterday was filed in Federal Court.

In the body of the decision, it is pointed out that "no intellectually honest person would deny those (school segregation) laws were passed in an effort to meet and solve problems presented by the school segregation cases"

Post P.2

(Nine sections of the Alabama constitution were amended in a vote ratified August, 1956, to make the law possible.)

The Negro lawyers pleaded strongly that the complete intent of the law is to preserve segregation in Alabama schools.

Mon 5-12-58

But the three-judge panel points out, "in dealing with an act of the Legislature of a sovereign state, we cannot lightly reach such a conclusion, nor, indeed, are we permitted to do so except upon the most weighty and compelling of reasons."

B'ham, Ala

Parallels N. C. Statute

Judicial Panel Upholds Alabama Placement Law

MONTGOMERY, Ala. (AP) — A three-judge panel in federal court ruled Friday that Alabama's school placement law can be administered in a lawful manner and cannot be held invalid on its face.

News & Observer

14a(1)

The panel turned down a request on behalf of four Negro children in Birmingham for a decree holding the two-year-old law unconstitutional and incapable of being lawfully administered.

In an unanimous decision, Judge Richard T. Rives of the U.S. Circuit Court of Appeals and District Court Judges Seybourn H. Lynne and H. H. Grooms of Birmingham said the law "furnished the legal machinery for the orderly administration of the public school in a constitutional manner ..."

However, the panel added, the possibility exists that the law may later be held unconstitutional "in its application."

P.1

Enacted by the Legislature in 1956, the law gives local boards almost unlimited authority to say where individual pupils must attend school But it makes no mention of race or color.

Raleigh, N.C.

The act sets forth suggested formulae to use in determining the admittance of pupils on an individual basis. Among the factors are the background of the pupils and the effect of their admittance in a particular school on the peace and good will of the community.

Similar laws in Virginia and Louisiana have been held unconstitutional, but a placement act in North Carolina brought a federal court ruling there which parallels the decision here Friday.

The panel said Alabama's law is more nearly like North Carolina's. Its formula for determining the placement of pupils differs substantially from those in Virginia and Louisiana.

The judges held that the statute could be held unconstitutional if proof were furnished that it was being used to discriminate.

In the absence of that evidence—and those who challenged the law made no such contention—the panel said "we must presume it will be so administered (in a lawful manner)."

The law gives local boards the sole right to determine where any pupil attends public school. But it sets forth several factors to be used.

Sat 5-10-58

These include:

Available room and teaching facilities and transportation, the scholastic aptitude and relative intelligence or mental energy or ability of the pupil and the psychological qualification of the pupils for the teaching and associations involved.

Other factors include: The effect of admission of the pupils on the academic progress of other students, the possibility or threat of friction or disorder among pupils or others, the possibility of breaches of the peace or ill will or economic retaliation within the community.

Parents of the Negro students filed the suit after seeking admittance to all-white Phillips High School and Graymont Elementary School in Birmingham.

They contended those schools are closer to their homes than the Negro classrooms they have been assigned.

School study group adopts basic rules

Birmingham News

Birmingham, Ala.

June 6-26-58

BY HUGH W. SPARROW

News staff writer

P.1

MONTGOMERY, Ala., June 26—Approval was given today by the Alabama Education Commission to a statement of basic principles to govern the commission's final recommendatoins for financing public education in Alabama.

14a(1)

That statement was submitted by the commission's committee on finance, which will make final recommendations to the commission later this year for school finances.

With the exception of a few revisions and alterations, the statement was approved by the committee as submitted.

Today's meeting of the committee was the first in several weeks. Besides the finace committee, there are five other committees, each assigned to a separate phase of the education problem. All in all, about 29 special studies are under way by experts under the direction of various committees.

Created by an act of the 1957 Legislature known as the Lackey-Edwards Bill, the commission is making a thorough study with the expectation of recommending a long-range program on education to the 1959 Legislature. It is composed of legislators, educators, and others interested in the welfare of public education.

THE STATEMENT of basic

principles for school financing, described by a committee member as "a constitution beyond which the commission cannot go in its financial recommendations," provides as follows:

The long term program should be ambitious and optimistic. Each successive step taken in attempting to achieve such objective must successfully stand the test of criticial, realistic and skeptical examination.

News

Ability to pay wherever found should be taxed to provide a sound minimum foundation program for school aid. P. 2

The minimum foundation program provision should not penalize local school systems for increases in local taxes beyond the required uniform effort of school support.

BODIES WHICH levy additional local taxes to provide additional school facilities should not be penalized in any way in the foundation program for providing such additional facilities.

1440

Each community is in competition with all other communities for new or expanded commercial and industrial facilities. The state is in competition with all other states similarly. Overtaxation or inadequate government services in relation to levels generally prevailing in similarly circumstanced communities and states is detrimental to commercial and industrial developments and a burden to the indvdual ctzen.

In competing for new citizens and new industry, satisfactory educational facilities wisl aid greatly neened commercial, agricultural and industrial expansion.

In seeking additional sihool revenues full consideration to the justifiable demands for health, the aged, recreation, roads and other needs. Similarly, it must be demanded that all other programs given full consideration to educational needs.

The extent to which taxation can safely be levied is determined by the total tax bill of each taxpayer.

The citizens of Alabama have income below the average of most other states. It is, therefore, necessary for them to make greater proportionate effort for the support of their schools, both in the amount of funds provided and in the efficient expenditure of funds, than do other states.

IT IS INCUMBENT on those who administer the schools and other government agencies to provide the maximum efficiency, economy, diligence and imagination in the operation to obtain the very best possible results from available funds. They should also determine and recommend desirable priorities among various types of further needs and be prepared to support their recommendations convincingly.

Charges have been made of extravagant and imprudent public expenditures. These charges should be considered and satisfactorily answered.

Negroes Protest 'Bama School Placement Law

Jackson News

Jackson, Mississippi

BIRMINGHAM (UPI) — A group of Negro parents appealed to the U.S. Supreme Court Monday a ruling upholding the constitutionality of the Alabama school placement law. P. 5

Tues. 7-8-58

The Negroes asked the high court to reverse a May 9 decision by a three-judge federal panel turning down their bid to integrate Birmingham's public school system.

1440

The school placement law allows the local education boards to decide on a student's suitability to attend any given school.

The Negroes, headed by the Rev. F. L. Shuttlesworth, filed a suit with the federal court here to test the constitutionality of the school placement law after the board of education refused to rule on applications for admittance of Negro children to white schools.

The three-judge panel, composed of one U.S. Fifth Circuit Court of Appeals judge and two U.S. district judges, upheld the placement law.

Shuttlesworth was badly beaten last September by a group of white men on the steps of Phillips High School here when he attempted unsuccessfully to enroll a group of Negro children.

Arson Is Attempted At Alabama School

1440

Flame Dies Out Before Real Damage Is Done

Commercial Appeal

Memphis, Tenn.

PRICHARD, Ala., Oct. 27. — (UPI)—Police, fire, school and state fire marshal's officers Monday ere checking an attempt to set fire to a Negro school over the week end.

Principal Woodrow R. Packer of the Chickasaw Terrace School here said a carton of waste paper was ignited and set fire, briefly, to a wooden window sill but the flames died out before more than superficial damage was done.

Tues. 10-28-58

He also said a wooden platform outside his office had been soaked with kerosene but had not been set afire.

Janitor Willie Noble discovered the attempted arson when he arrived at work at the school for 317 Negro students, Monday morning.

P. 14

Two other Mobile County schools, Vigor High, here, and the Bienville School in Mobile, were broken into over the week end. About $25 in food was taken from Vigor, along with $2 in cash from the nurse's office.

School Suit Goes To Highest Court

Birmingham Post-Herald

Birmingham, Ala.

Birmingham Negroes, Rebuffed Here, Appeal To Supreme Justices

1440

Tues. 7-8-58

Birmingham Negroes who lost a suit to integrate schools in Federal Court here two months ago yesterday appealed the decision to the United States Supreme Court.

The suit was filed one day before the deadline, which would have been today. P. 11

Involved in the suit, which claimed the Alabama School Placement Law is unconstitutional, are four Negro children, Ruby Fredricka Shuttlesworth, Denise Armstrong, Wathaw Avery Jr. and Nathaniel Horton.

The appeal, which came to the Federal Court clerk's office in the mail yesterday morning, makes several points it asks the Supreme Court to study.

It cites the legislative history of the law, several sections, the history of racial segregation in Alabama and the desire of the Legislature to continue it, and the criteria in the law for transferring pupils.

Since three Federal judges heard and ruled on the case, it will go directly to the Supreme Court.

The judges were Fifth Circuit Court of Appeals Judge Richard T. Rives and U. S. District Judges Seybourn H. Lynne and H. H. Grooms.

They heard the case on April 4 and ruled against the Negroes May 9.

ARKANSAS, VIRGINIA WATCHED

Montgomery Advertiser

Patterson Sketches Formula To Keep Schools Segregated

Montgomery, Ala

Thurs. 8-28-58

Gov.nominate John Patterson, with a watchful eye on Arkansas and Virginia, sketched a blueprint Wednesday of his formula for keeping Alabama schools segregated.

P. 1

Patterson, the incumbent attorney general, said he is keeping a close watch on developments in the other two southern states because they may form a pattern for Alabama to follow.

But meanwhile, he emphasized his belief that Alabama should have a stronger school closing law than the one now on the books. He advocated mandatory closing of any school where federal force is used as it was at Little Rock's Central High School last year.

Army troops were sent to Little Rock to enforce a court order to admit Negro students.

Patterson, whose Democratic nomination for governor is tantamount to election, also proposed a law to cut off state funds for any integrated school.

Since the state contributed 87 per cent of the money to operate public schools, few if any could remain open without that source of revenue.

The present law, enacted last year, empowers school boards to close any school threatened with integration. But it isn't mandatory, Patterson pointed out, and it requires a week's notice and a public hearing.

Another provision of the law authorizes local boards to turn school property over to private individuals to operate private schools. State funds could be used to pay the private school tuition of students displaced by a school closing order.

Patterson said he is especially anxious to see if the private school approach is used in Arkansas or Virginia and whether it is workable.

1440

The legislation he advocates for Alabama is patterned after laws already enacted in Virginia and similar in a general way to measures proposed in Arkansas.

No Alabama school has been ordered integrated. So the first test of the "free private school" theory probably will come elsewhere, perhaps in Arkansas or Virginia.

Since the Alabama Legislature normally won't meet again until next May, it may be able to tell by that time whether the private schools will work.

A group of Negroes has sought admittance to white high schools in Birmingham and challenged the state's pupil placement law which gives local school boards almost unlimited authority to say where students attend school.

A three-judge federal panel refused to rule the law unconstitutional. It said the law could be used legally, but admonished at the same time that it could be applied unlawfully.

✓

In state suit here—

Federal judges weighing school integration test case

14d(1)

BY ED STRICKLAND
News staff writer

News P.27

Alabama school placement law, under attack by the parents of four Negro children who sought admission to Phillips High School last Fall, is under consideration today by three U. S. District Court judges.

The judges, Richard Rives of Montgomery, and H. H. Grooms and Seybourn H. Lynne of Birmingham, indicated they will rule following submission and study of the record and arguments presented to the court here yesterday.

THE JUDGES COULD:

Fri. 4-4-58

1. Hold the law unconstitutional.
2. Declare it is constitutional.
3. Decline to rule upon it at all on the grounds that it is not properly before the court.

The Negro plaintiffs have petitioned the court to hold the law unconstitutional and to enjoin the Birmingham Board of Education from enforcing provisions of the act.

The law, authored by Sen. Albert Boutwell and passed in 1955, was amended last year. It gives school boards broad powers in the placement of pupils and confers judicial status upon school administrators in their decisions.

Attorneys for the school board insisted before the court that the plaintiffs have not exhausted legal remedies available to them and therefore have no standing at this time in federal court.

THE BOARD'S ATTORNEYS also insisted provisions of the placement law were not followed by the plaintiffs and therefore any attack at this time on the law is hypothetical.

Atty. James A. Washington, of Washington, D. C., argued that the act "is in defiance of the U. S. Supreme Court decision" which ended school segregation. He said the law "sets up no plan for integration in accordance with the court's decision and is designed to perpetuate segregation."

Birmingham

Atty. Ernest T. Jackson, of Jacksonville, Fla., called the law "a clever subterfuge to circumvent the Surpeme Court's decision."

Ala.

Both sides agreed upon the facts in the case and no witnesses were presented. It was argued for approximately an hour and 15 minutes by each side in a courtroom predominately filled with Negro spectators.

Appearing for the school board were Attys. Joe Johnston, Ormand Summerville, Reid Barnes and Thad Holt Jr.

ATTY. GEN. John Patterson and his assistant, Gordon Madison, appeared on behalf of the state since the validity of a state law was under attack.

Patterson predicted after the hearing that "we'll win this case."

Patterson said he felt that the law meets the necessary constitutional requirements and is applicable regardless of race.

"I feel that in bringing this case the plaintiffs have done a disservice to both races in causing racial friction where none existed before."

THE JUDGES broke into arguments frequently to ask questions or request attorneys to address their arguments to certain points.

Judge Rives, at one point, remarked "What's worrying me is whether this case is ripe for a three-judge panel to rule on its constitutionality."

He pointed out that the Alabama Supreme Court has never been given the opportunity to rule on the validity of the act or to construe it. He said the State Supreme Court could "speak with authority" concerning the act's validity under the state constitution.

Judge Rives also pointed out that the act has a clause which provides that in the event one part or parts of the act is held invalid, the remainder of the act stands.

On this point he noted that the attorneys for the plaintiffs agreed that parts of the act were "fair and unobjectionable" and "good educational practices."

THE ATTORNEYS for the petitioners contended that sections 2, 4, 7 and 8 of the act violate the U. S. Constitution. They leveled no attack on the remainder of the law, but Washington pointed out that "if Sections 2 and 8 are knocked out, there is no act."

The sections in question deal with authority of the board in placing students and declare the right of any child not to attend school against his will with members of the other race.

Barnes argued that the constitutionality of the act could be tested only after it had been applied to deny some constitutional right to a student.

He said the plaintiffs failed to do what the act requires and waived their right to attack the law in this manner.

JOHNSTON POINTED OUT that the Supreme Court itself cautioned against "revolutionary application" of the desegregation decision.

"No greater cruelty could be done to the children of both races than that this be applied in a revolutionary manner," he said.

The court asked that each member of the panel be furnished a copy of the evidence, briefs and arguments in the case. Judge Rives said "We want to give this careful consideration."

If the court rules on the constitutionality of the act, any appeal would be directly to the U. S. Supreme Court.

Should the court here decide that the validity of the law was not properly in question at this time, the plaintiffs would be left with the alternative of pursuing the matter through the state courts or meeting the necessary requirements to go again to the federal court.

Boutwell issues warning against integration try

14d(1)

News P.7

Any attempt to enforce integration in an Alabama public school with federal troops would result in immediate closing of the school, in the opinion of State Sen. Albert Boutwell, candidate for lieutenant governor.

Fri. 4-4-58

Sen. Boutwell said this could be done under the "freedom of choice" constitutional amendment, which was passed by the Legislature in 1956 and approved overwhelmingly by voters of the state.

BOUTWELL

Boutwell, who was chief sponsor of this amendment and co-sponsor of the school placement law passed by the Legislature to help maintain segregation by conferring unprecedented powers upon local school boards, declared:

Birmingham

"WE ARE NOT going to have a 'Clinton, Tenn.' or a 'Little Rock' in Alabama, because we are not going to operate any school with or without troops, for I am sure that every school board in the state would refuse to permit children to be subjected to these conditions."

Ala.

Sen. Boutwell said he had helped lead the campaign for ratification of the "freedom of choice" amendment and the placement bill "because integrated schools will not work.

"And that goes for integrated schools in New York, in Washington, in Chicago, in Detroit, in Little Rock and any place in Alabama," he said.

Boutwell explained the "freedom of choice" amendment and the placement laws "enabled the Legislature to place full authority in the local school boards to discontinue the operation of any school in which conditions of compulsory integration or disorder arose to make it impracticable to operate the school."

THE AMENDMENT, which was drafted by a legislative committee headed by Sen. Boutwell, with the aid of a special committee named by the State Bar Assn., provides that a public school may be abolished and a private school set up in its place. It also provides that individual contracts may be entered into by the school with parents of children.

And it also stipulates that if a teacher is transferred from a public school to a private school, the teacher would retain benefits and "be fully protected" under the Teacher Retirement Act.

Macon School Head Offers 3-Pronged School Program

Advertiser P.1A

Montgomery Ala.

By GEORGE PRENTICE

A veteran Alabama educator Wednesday proposed a three-way cure for ills in the field of education and pledged his support of the study program being conducted by the State Education Commission.

Thurs. 4-3-58

B. L. Balch, chairman of the Macon County Board of Education and a county superintendent for more than 20 years, told city and county school officials the commission program is the "most exhaustive and far-reaching" of any he had seen in "more than 50 years as an educator."

14d(1)

He said the state's education problems could be solved in a three-way attack. Included were:

Ala.

1. Know what people are thinking and see that they are adequately informed.
2. Distribute funds on an equitable basis.
3. Provide equitable distribution of the tax load.

Blach hastened to point out that "we cannot rob from other current expenses (transportation, maintenance etc.), to increase teachers' salaries."

"More money must come from someplace," he said.

The city and county school officials were invited to help the commission find out what Alabamians think about their school system.

The commission was created by the 1957 Legislature to conduct a long-range study of the school needs of Alabama.

Questionnaires prepared by the commission were given to educators Wednesday, "to be distributed as soon as possible."

A deadline of June 15 was set for return of the question sheets after they are filled out.

Advertiser

Dr. [illegible], executive secretary of the commission, asked that the questionnaires be handled before the end of the school term.

Balch told the educators, about

Study group begins probing state education

Thurs. 1-23-58

14d(1)

MONTGOMERY, Ala., Jan. 23 —(AP)—The Alabama Education Commission and members of its subcommittees were challenged Wednesday to seek out needs of the public school system diligently and fairly.

Rep. Joe Dawkins of Montgomery, commission chairman, said the "people of Alabama are looking to us to determine the needs of education for years to come."

News P. 58

He paid tribute to the "enthusiastic work" of the subcommittee on financing education which is headed by a Birmingham investment banker, Mervyn H. Sterne. This group has it work well under way, Dawkins noted.

Birmingham Ala.

THE CHAIRMAN urged all subcommittees to shoot for a deadline of Aug. 15 on completing their fact-finding work because of the necessity of coming up with a complete report by Oct. 1 as required in the law authorizing the study.

Dawkins suggested that it would take about 45 days for the commission to agree on the major recommendations and contents of the report.

Dr. D. P. Culp, the commission's executive director, paid tribute to members of the commission for the way they have accepted their responsibilities in helping to get the fact-finding work done.

The commissioner's chief consultant, Dr. E. L. Morphet, professor of education at the University of California, said not often, "not more than once in a generation" are people of the state given the opportunity to think together on needs of public education.

He said the commission's findings can determine the future of education in Alabama for the next generation.

Other consultants introduced today were Dr. R. L. Johns, professor of educational administration at the University of Florida and Dr. A. J. Brumbaugh, of the Southern Regional Education Board in Atlanta.

Macon School Head Offers 3-Pronged School Program

Advertiser P. 1A

Montgomery Ala.

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14d(1)

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P. 5A

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14d(1)

Balch told the educators, about 200 of them from over the state, that the commission's findings could lead to "a new day for education in Alabama."

Advertiser

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Thurs. 4-3-58

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Montgomery Ala.

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Thurs. 4-3-58

Patterson For Federal Aid To Schools

Birmingham Post Herald

14d(1)

CHICAGO, June 10 (UPI) — Atty. Gen. John Patterson of Alabama, expected to become governor in November, said today a prime goal of his platform is better schools and he advocates federal aid.

P. 1 Wed. 6-11-58

However, Patterson told newsmen, his advocacy of federal aid to schools is qualified by a refusal to accept a "string" leading to racial integration.

Birmingham Ala.

The Democratic gubernatorial candidate discussed his platform at a news conference. He was attending a conference of state attorneys general here. His nomination is tantamount to election in Alabama

Patterson said schools in Alabama were below "the national standard." He cited problems of underpaid teachers and deficient facilities.

He said he was in favor of federal aid "as long as the state is allowed to run the school system," and he added: "We have legal tools in Alabama to preserve school segregation."

Integration Timetable Is Blocked in County

Evening Star P. 31-A

Washington D.C.

By G. O. HERNDON

Star Staff Writer

Wed. 4-9-58

The Montgomery County Council has thrown a roadblock in the path of the Board of Education's timetable for completing integration of the county school system.

In formally adopting a record $64.3 million budget for fiscal 1958-9, the council yesterday clipped from the school board budget $754,000 for redesign of the two big all-Negro secondary schools in the county.

14d(1)

The deleted funds would have financed a $698,000 project at Carver High School, which the board had planned to convert into a junior high school, and a $56,000 conversion job at Lincoln Junior High School, which had been destined for abandonment as a school and for use as a warehouse.

Ala.

Scheduled for Integration

Carver was scheduled to become an integrated school by 1960. Closing of Lincoln this September would have sent 194 Negro pupils into integrated schools this fall.

School board officials were caught off-guard by the council's action. It was learned that the move was approved by a 5-2 vote, with council members Stella B. Werner and J. Grahame Walker in opposition.

Lathrop E. Smith, school board president, called the Carver and Lincoln deletions "a very disheatening turn of events."

Mrs. Rose C. Kramer, another school board member, said that if the Carver deletion was intended to "slow up integration," the action was futile since capital construction programs cannot be used to determine de-segregation policy.

School Board member Harrison C. King said he was in favor of the Carver deletion.

The new budget calls for a three-cent increase in the county real estate tax, from $2.15 to $2.18 per $100 of assessed valuation.

Budget Breakdown

The budget breaks down as follows: $1.95 of the county tax revenue for schools, and 23 cents for county government operations.

Of the final $64.3 million spending program, more than $5 million was not listed in the original $59.8 million budget recommended last month by County Manager M. L. Reese. The new total also reflected cuts effected by the council.

The overall county budget includes a $44.1 million appropriation for operating expenses of both the county Government and the school board. The capital program for school construction was set at approximately $12.3 million while other county capital plans, including road construction, call for an outlay of $7,875,000.

Highlights of the general county capital program included the following:

1. A provision for a county airport, costing $550,000. The county would receive, if the airport plans are approved by both the county and the Federal Government, a $275,000 Federal grant for the project.

2. A 520-acre regional park, the land for which would be acquired through an overall $1,985,000 parkland acquisition allocation, requested as a county contribution to the Maryland-National Capital Park and Planning Commission. The county, however, plans to retain title to the Wheaton parkland but would allow the M-NCPPC to operate and maintain it.

3. Replacement of the present Silver Spring and Bethesda county office buildings, which house county offices and People's Court facilities, cost $1,350,000. This allocation was the result of the abandonment of an earlier plan to consolidate the People's Courts in Rockville. However, this sum, plus $100,000 for sites and planning, was appropriated in a prior budget year and is not reflected directly in the 1958-59 capital outlay toal.

Teacher Raises

Funds granted to the school board will provide for implementation of a teacher pay schedule first proposed a year ago. In addition, a supplementary teacher pay increase—$300 per year for teachers at the top of the pay scale who would not have received a pay raise otherwise—was budgeted, at a cost of $89,000.

County officials noted that the net tax rate increase for residents living in the suburban area of the county would amount to one cent in the coming fiscal year. They said the county's three-cent increase will be offset in the sanitary district area by a two-cent tax rate decrease recently approved by the Washington Suburban Sanitary Commissi

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Patterson Asks Private School Plan

Advertiser

SELMA (AP)—Alabama Atty. Gen. John Patterson said Wednesday night that Alabama must divise a means of operating private schools to avoid segregated institutions. But he didn't elaborate.

Montgomery Ala.

14d(1)

Patterson, Democratic nominee for governor, addressed the annual meeting of the Dallas County Citizens Council.

Thurs. 4-2-58

Reaffirming his campaign promise to maintain segregated schools, Patterson said Alabama white voters must vote as a bloc in the fight against segregated schools.

P. 1

"There is no such thing as token integration," he declared.

Patterson said Alabama has the legal means with which to maintain segregated schools. He mentioned the school placement law, which gives local school officials virtual blanket authority in placing students, although there is no mention of segregation.

Appointed To Principalships In Jeffco Public School System

Birmingham World
Birmingham, Ala.

Mrs. Lottie Scott Garrett was promoted from a teacher of the third grade at the Roosevelt School to the teaching principalship at the Trussville Elementary School She formerly served principalships at Birmingport and Alton Schools. She holds the Bachelor's and Master's degrees from Alabama State College. She is a member of the Sardis Baptist Church. P. 1

Mrs. Lillian P. Sanderlin has been elevated from the principalship of Leeds Elementary School to a similar position at the Irondale School.

She has held principalships also at Trussville and Raimund. Mrs. Sanderlin holds the B. S. degree from Tuskegee Institute and the M. A. degree from Columbia University. She is a member of the Metropolitan A. M. E. Zion Church

Mrs. Armistrice A. Robinson has been hoisted to the principalshp of the Oxmoor School, succeeding Mrs. Annie Windham. She holds a B. S. degree from Alabama A and M. College and a Master's degree in elementary education from Ohio State University. She formerly taught at Oxmoor and Ketona schools. Mrs Robinson is a member of Bryant Chapel A. M. E. Church.

Mrs. Luretha Ray was moved up from teaching principalship at Trussville to teaching principalship at Leeds Elementary School. Mrs. Ray holds the B. S. degree from Alabama State College and the Master's degree from the University of Southern California. She is a member of the Union Baptist Church. Homewood.

14d(1)
Ala

MRS. LOTTIE S. GARRETT
AT TRUSSVILLE

Wed. 1-1-58

MRS. ARMISTRICE A. ROBINSON
AT OXMOOR

MRS. LILLIAN P. SANDERLIN
AT. IRONDALE

MRS. LURETHA RAY
AT LEEDS ELEMENTARY

At Montgomery—

White parents to be asked views on private schools

B'ham News
B'ham Ala.

MONTGOMERY, Ala., Oct. 2 — (AP) — White residents here will be asked whether they will support a private school system if Alabama's schools are ordered to integrate, a Citizens Council official said last night.

The chairman of the Montgomery Citizens Council, Bruce Wyatt, told persons attending a special meeting here that white parents in the city will be asked in a door-to-door poll to indicate whether they would permit their children to attend an integrated school and to give their feelings on the segregation issue.

News
10-2-58
P. 2

He said that instead of "passively resisting integration," the council plans to "aggressively promote segregation."

REP. GEORGE ANDREWS (A., Ala.), another speaker, termed integration the gravest crisis in the history of the South.

He mentioned the War between the States and added that in the battle for segregation, "the South will fight even harder . . . not with guns, but with other means." And if it "has courage and determination to keep segregated schools, it can be done."

Wyatt was installed for his third term as chairman last night. Also installed were William E. Garner as vice chairman; E. B. Chestnutt Jr., secretary and Simeon McNeill, treasurer.

Longshore Offers Church School Plan

Advertiser
Montgomery
Ala.

A private system of schools within Protestant and Jewish churches of Alabama was proposed this week by William L. Longshore Jr., Republican candidate for governor. He noted that the Catholics already have such a system.

10-22-58

Longshore said he had always supported our public school system "because it has enabled so many of our people to have an education that otherwise could not afford one."

"It is my fervent hope and prayer that we will always have public education," he said. "However, due to the increasing school age population and due to the uncertainty as to the future of public education," he suggested:

SERIOUS THOUGHT

1. The "Protestant Christian" and Jewish leaders give serious consideration to establishing schools in their own churches for school age children in their own congregation and others who might want to come.

2. That these leaders desiring to do this begin laying plans immediately to start these schools not as a substitute for public education "but as a supplement to them."

3. "If and when, by a vote of the people under the compulsion of a Supreme Court decision, any of the public schools are closed, the church could, if they so desired, purchase some of the school buildings and equipment of the state and enlarge their facilities to take care of nearly everyone who wanted an education.

BEST SYSTEM

The No. 1 accomplishment of this plan, Longshore said, could be to "preserve segregation for the great majority of our people, both colored and white, who believe it is the best system for both races."

14 d(1) Ala

IF HARMONY BREAKS DOWN—

Meadows Would Halt Education Of Negroes As 'A Last Resort'

B'ham Herald

B'ham, Ala.

Fri

10-24-58

P. 29

MONTGOMERY, Oct. 23 (UPI)—School Superintendent Austin R. Meadows said today Alabama can avoid formation of a private school system to resist integration by threatening Negroes with no educational facilities if harmony between the races breaks down.

"Let's put it this way," said Meadows, "if Negroes force the integration issue—which I sincerely doubt—Alabama classrooms will close down. The state, through a private school plan or some other program, will then set up a system for educating the white children. But there will be no plan for Negro children, which means the Negroes will have no means of educating themselves."

Dr. Meadows emphasized the threat of wiping out all education for Negroes should be used "only as a last resort."

The school director said the state should do three things to "maintain Alabama's way of life:"

1. Equalize school facilities.

2. Promote the advantages of segregated schools.

3. Use the pupil placement law intelligently and effectively.

Meadows said complete equalization of white and Negro school systems would require additional taxation and a big bond issue for new school construction. He expressed doubt the Legislature would approve more taxes and the bond issue because of the strained situations in Arkansas and Virginia.

"We have got to have the support and help of the Legislature and the new governor if we are to educate all of Alabama's children the way we want to and should," he said.

Meadows said the pupil placement law—which does not mention the word segregation—already has been upheld by a Federal Court at Birmingham. He admitted the test suit was appealed to the U. S. Supreme Court," "but I believe the Washington judges must uphold it."

"After all, many states have similar laws. No school system as large as a state's could operate without such regulations," he said.

The pupil placement law controls where a student will attend school on such factors as available space, transportation, teacher capacity and teacher training, curricula, academic preparation, pupil effect on the progress of others, morals, health and personal standards.

Alabama Schools Face Uncertainty

14 d(1)

Advertiser

Montgomery, Ala.

Sun 10-19-58

P. 3-B

By Bob Ingram

THE ALABAMA Education Commission is nearing the end of a remarkable study of the state school system. It is difficult to conceive the amount of work which has gone into the assignment.

Untold hours of toil by the 21 commission members and the dozens of sub-committee members will in the near future produce a fairly clear profile of Alabama education, its needs and shortcomings.

INGRAM

But there is every reason to believe that much of the work done here—and done at but little expense to the taxpayer, for a change—will be for naught.

That there is a shortage of school buildings is an admitted fact; that Alabama teachers, by and large, are underpaid is also conceded. And the commission is certain to recommend that steps be taken by the new Legislature to correct these two problems.

But it is extremely unlikely the new lawmakers will accede to these requests. There is a time and place for most everything, but there are few who will say that now is a time to float a multi-million-dollar bond issue for schools or hike taxes to pay teachers salaries.

Doubtful Future

THE TAXPAYER doesn't need much of an excuse to howl about new taxes, and today the taxpayer has a ready-made excuse to oppose any additional taxes for education.

The great uncertainty of the very existence of a public school system in Alabama is a strong argument for going slow on any long range school building program, or any hike in taxes for the school masters.

It is not inconceivable that Alabama's public school system—as it is now constituted—will be abolished in the not too distant future. And with that doubt on the horizon, the new Legislature is likely to go slow in adopting any new revenue-raising laws for education.

This fact has been commented on by a number of legislators in recent visits to the Capitol. To the man, these lawmakers have expressed outright opposition to any bond issue for schools, any more revenue for teachers.

(This same argument has been and will continue to be used by local voters opposing the proposed increase in the Montgomery County property tax. It's to be voted on in the general election two weeks hence.)

Private School Competition

ADDED TO this is the fact that in the near future the new educational fund — the private school outfit — will launch a money-raising campaign of its own.

This organization will use the money they hope to raise in financing private schools, should such be created to prevent race mixing.

All of this adds up to a dim outlook for the Education Commission's recommendations, no matter how moderate they might be.

The question that will be asked, and one which there appears to be no ready answer, is: Why raise taxes for public schools when there may not be any public schools next year or the next?

That appears to be the unfortunate fate which awaits the Education Commission and its financial recommendations. A good job well done, but for naught.

By Any Other Name

A WEEK ago, in commenting on Folsom expenditures, this column mentioned the issuance of a $5,000 check to Assistant Treasurer Frank Barefield from the Emergency Fund.

It was erroneously reported that the money was paid to Barefield in compensation for legal services rendered to him in a suit initiated by Atty. Gen. John Patterson.

The correct story is better than the inaccurate one reported a week ago.

The $5,000 check involved a suit by receivers of Lawyers Fire and Casualty Co. of Montgomery (Virgil and Jack McGee) against former Insurance Supt. Leslie L. Gwaltney, Treasurer John Brandon and Barefield.

Gwaltney was accused of allowing the McGee boys to swap $40,000 in worthless municipal bonds for an equal amount of gilt edged U. S. government bonds. As the bonds were on deposit with the treasurer's office, both Brandon and Barefield were included in the suit.

Barefield, to defend himself, employed Sen. Vaughan Hill Robison of Montgomery as his counsel. When it came time to settle up there was no money available in the treasurer's budget to pay Robison's fee.

Barefield petitioned Gov. Folsom for relief, and the latter promptly authorized the payment of Robison's $5,000 fee from the Emergency Fund.

But the senator would have no part of any tainted Emergency Fund money. He returned the check, claiming he was looking only to Barefield for payment.

This was easily straightened out. Folsom gave Barefield the $5,000, he deposited it in his own personal account, then turned around and gave a check of his own to Robison for $5,000.

A rose by any other name would smell as sweet. So does a $5,000 check, no matter where it might come from or how it got there.

Balm For Givhan

SEN. WALTER C. Givhan of Dallas, miffed because he failed to land the choice chairmanship of the Senate Finance and Taxation Committee, is expected to have his feelings eased a bit soon. He's expected to get the nod as vice chairman of the powerful Senate Rules Committee.

The chairmanship of this committee reportedly will go to a freshmen member of the Senate.

Along the same line, Gov.-nominate John Patterson is being quietly commended for persuading Lt. Gov.-nominate Albert Boutwell to name Sen. Ed Eddins of Marengo as vice chairman of the Finance and Taxation Commitee (Montgomery's Robison is to be chairman).

Eddins has traditionally been an anti-man, causing no little trouble to administration forces, no matter who was in office. But in the role given him in the Patterson administration he may find himself hogtied. Of necessity, he will have to go along with Patterson's major legislation.

And Patterson, among other things, promised reapportionment. This could lead to some fun.

14d(1) 1958

ALABAMA

Montgomery Negroes Plan Integration Step

Courier-Journal

14d(1)

Louisville, Ky.

Dec.

Fri 12-5-58

P2

New York Times News Service

Montgomery, Ala., Dec. 4.—The Rev. Martin Luther King disclosed Thursday that Negroes will soon take action designed to end segregation in the public schools of this city.

The minister, who led a bus boycott here 2½ years ago, said a committee of the Montgomery Improvement Association was working out details of the strategy to be followed.

The association was organized during the mass refusal by Negroes to ride segregated buses and is headed by Dr. King, pastor of Dexter Avenue Baptist Church.

The group's efforts will probably lead to a court test of the manner in which Alabama's pupil-placement law is being applied. The United States Supreme Court recently held the statute valid on its face.

Dr. King made his statement as the Federal Civil Rights Commission prepared to open its first field hearing here Monday. It will consider alleged violations of Negro voting rights in six Alabama counties.

Dr. King said the first step to desegregate the schools would be a series of conferences on the question with various white community leaders.

The M.I.A., he said, will then present a plan for desegregation to the Board of Education in an attempt to work out a solution to the problem.

"If they don't accept it, then of course we will go into the courts," he declared.

1440

To preserve segregation—

Private school group plans progressing well, leaders declare

BY EDWIN STRICKLAND, News staff writer

Alabama's private school corporation announced last week by MacDonald Gallion, Democratic nominee for attorney general, is designed to meet an emergency the state is almost sure to face at some time in the future.

The order by the U. S. Supreme Court for any white school in the state to enroll Negro students, will bring two quick results:

Birmingham News

1. The governor will have the discretion of immediately ordering the school to close.

2. The private corporation now being whipped into shape, will step into the breach to provide a continuation of education.

Birmingham News

Gov. Nominate John Patterson has made it plain in speeches around the state that he will act at once to exercise his legislative-given right to close any school threatened with race mixing.

PATTERSON ADVOCATES going even further—to adopt legislation requiring that a school be closed automatically when faced with integration. That's the same law now in effect in Georgia and Virginia.

GALLION

When Gallion announced a few days ago the formation of the private school corporation, he emphasized that he was acting in the capacity of a private attorney in handling the legal framework.

11-26-58

P. 6

Since he does not take office as attorney general until Jan. 20, 1959, his association with such a group now does not bring it under color of official action.

Gallion announced that Birmingham's Walter J. Hanna would head the board of trustees of the corporation.

Hanna, operator of Hanna Steel Corp., holds the rank of major general, and has been frequently mentioned as the new head of the 31st Division National Guard.

HANNA COMMANDED National Guard units in Phenix City during the 1954 crime cleanup, while serving as adjutant general under Former Gov. Gordon Persons. It was there he formed a friendship with Gallion, who was serving as a special representative of Gov. Persons in the Phenix City affair.

Gallion and Hanna met for hours in Birmingham, Tuesday, to work on framework of the organization. After the meeting Gallion said things "are progressing well, according to plan."

The incoming attorney general said he did not know exactly when the papers of incorporation will be filed, but added that this is "of secondary importance at this time. Our immediate interest is in getting the best leadership possible in every part of the state."

Both Gallion and Hanna declined to discuss details of the planned operation of the private school corporation. From a source close to the group, however, The News learned that the corporation will work this way:

THE STATE will be "districted" under the private school plan, and when a school in the district is threatened with integration, all schools in that district will be immediately closed.

The private corporation will swing into action, lease, buy or otherwise acquire property, employ teachers and set up schools.

Districts probably will be small, so as not to close any more schools than necessary at one time.

But here's the important part of the plan, according to the informed source.

Both white and Negro schools in the district would probably be closed to prevent incidents. This possibly will have to be provided by legislation expected to be introduced in the coming legislative session.

THE PRIVATE corporation will provide funds only for white students, and, according to present plans, white teachers will be employed and given retirement protection.

The operation of such a plan could mean loss of jobs by Negro teachers in districts where schools are closed by integration threat. Presumably, the state would be entirely out of the education business in any districts where public schools are closed.

THE INFORMANT told The News that the plan is being accepted "with great zeal" in all parts of the state.

"We naturally hope it will never be necessary to close any schools in Alabama," said the spokesman, "but we've got to prepare to meet any challenge to our educational system and way of life."

The News learned that one prominent business man has led off with an offer to the private corporation to deed it 15 acres of land for a school site, and even to construct the building.

Hundreds of offers of financial aid is said to be pouring into the offices of Gallion and Hanna.

Gallion had previously announced that an endowment fund will be started as soon as the corporation is actively in business.

ONE SOURCE pointed out that an annual fund appeal from private sources collects almost $2 million from Jefferson County alone. He used this as a yardstick of what might be expected in the event education must be privately supported.

The source also pointed out that a large sum—already estimated in some quarters at $100,000—has been collected in Jefferson County to aid Little Rock in its effort to establish private schools.

"If our people respond in this manner to an appeal from another state," said one source, "I do not believe we will have any worries of how own schools will be supported."

The appeal for endowment funds, The News learned, will be conducted on a statewide basis, with particular emphasis on the individual who may be able to give only $1, $5 or $10 as well as those who can give larger sums.

Gallion Plan Seen Easing Negro Demand

By REX THOMAS
AP Staff Writer

Advertiser Montgomery Ala

Atty. Gen.-elect MacDonald Gallion suggested Saturday that a threat to close their schools may force Negroes in Alabama to back down on demands for integration.

Gallion proposed to operate white schools with private funds if need be to keep them segregated, and at the same time to close Negro classrooms and keep them closed.

1440

He said it is part of the basic philosophy behind the private school theory-the belief that Negro teachers will resist integration to protect their jobs and parents will fight it to keep their children in school.

11-9-58

SAME DISTRICT

Gallion suggested passage of a law which would group white and Negro schools together in the same districts, and close all schools in the district if any white institution is ordered to admit Negro students.

P. 1

Private school corporations, financed entirely with private funds could reopen the white classrooms, the incoming attorney general continued, but the Negro schools would remain closed.

Gallion's recommendations were spelled out in a written memorandum explaining the nature and purpose of a newly organized Alabama Education Fund Foundation which, as a private attorney, he helped create.

DAGGER IN OWN THROAT

The threatened closing of Negro schools, the incoming attorney general said, would "place the Negro in the position of 'sticking the dagger' in his own throat. . . Every time he tried to force integration of a white school."

Continuing, Gallion said:

"The Negro school teachers form one of the strongest groups of leadership in the Negro community, and faced with the loss of a job and the loss of an education for their Negro pupils, they, combined with the Negro parents of school children, could be expected to exert a strong resistance to any forced integration attempts. . ."

Gallion emphasized that the new organization which has been described as a private school corporation is actually an educational foundation whose basic purpose is to provide money for private schools.

CLEARING HOUSE

He pointed out that the foundation itself would make no effort to operate private schools, but would function instead as a financing agency and a clearing house for private school corporations in the various communities.

The attorney general-elect, speaking as an individual rather than an elected official, said plans are being made for a fund-raising campaign on a congressional district and county level.

It would include voluntary payroll deductions, special gifts and individual contributions, spread out so the pledges could be paid over three to five years if necessary.

Gallion said the average cost of educating a white student in the public schools in the 1956-57 fiscal year was $153.85, or $12.81 a month.

He predicted the "average parent would readily pay this approximate amount or more to keep his child in a segregated school." For those who cannot afford the expense, he proposed scholarships donated by the endowment fund.

Gallion said teachers could be paid the same salaries they now receive from public funds, and that even their pension system could be taken over by a privately financed basis like the retirement plans in big industry.

Placement Law Urged by Lokey

14 a (1) Ala

By KAY McLEOD

An effort to mold public opinion throughout Georgia in favor of keeping the public schools open and to obtain passage of a pupil placement law similar to Alabama's was suggested Thursday by members of a legislative study committee of the Georgia Council of Churches.

Constitution

Former Fulton County Rep. Hamilton Lokey said that "if Atlanta public schools are closed as a result of the suit against the Atlanta Board of Education, "every school in Georgia will be closed within six weeks to six days."

Lokey said the Alabama placemen law does not mention race and therefore does not conflict with current state segregation laws. It could be passed by the next session of that legislature as a mean of dealing with an integration order if it comes, he said.

Fri. 12-19-58

He warned that the Atlanta suit could result in the striking of every segregation law on Georgia books and would leave Georgia subject to the "kind of thing" that Washington has been subjected to should the school be reopened in compliance with the law.

Both ministers and legislators speaking at the session expressed little hope that any kind of educational program can be provided for Georgia children unless it is on an integrated basis.

Explaining his contention that every school in Georgia would be closed soon after Atlanta schools were closed in the wake of desegregation orders and subsequent withdrawal of state funds, Lokey said:

"I don't believe any court—state or federal—would vindicate the procedure wherein the people of Atlanta pay taxes and the money is used to pay for everybody else's schools except ours."

When all the schools are closed the people will have two alternatives—"either go out of the public school business or integrate."

14 a (1)

"A lot of political heads will roll when the day comes that the wool-hat boys say, 'You told me we'd keep segregation, but you forgot to tell me that we'd lose our public schools,'' Lokey said.

Lokey said that a court order to desegregate the Atlanta public schools could be followed by a request for clarification from the Board of Education to the decreeing court with an explanation that integration is impossible under state law and segregation is impossible under the court order. The court could possibly then declare every Georgia segregation law unconstitutional, he said.

Lokey urged the ministers and laymen to make their opinions felt by their legislators.

One minister at the session suggested "a concentrated effort to get every citizen of Atlanta to write to the governor and legislators. Also get friends from other parts of the state to write. Hold meetings in each church to lay down the alternatives."

DeKalb County Rep. James A. Mackay warned earlier Thursday "I'm frightened that the statement 'the governor wants this bill' carries so much weight in the Georgia Legislature.

"We are all conditioned to acceptance of any bill which is called an administration bill,'' Mackay said.

"Many of the so-called administration bills are good, but every bill ought to have a full deliberation of the Legislature,'' he said.

Legislators Favor School Bonds —With Misgivings

14 a (1) Ala.

(Editor's Note: With a session of the Alabama Legislature looming over the horizon early in 1959, The Post-Herald recently conducted a survey of Alabama legislators to find out their thinking on certain subjects.

* * *

Birmingham Herald

BY CLARKE STALLWORTH

Alabama legislators generally favor a bond issue for school-building purposes—but they have some deep misgivings about building schools which may be closed by a possible integration crisis.

Birmingham, Ala.

This, generally, is the gist of a Birmingham Post-Herald poll of legislators on the question.

The Alabama Education Commission has been studying the problem of schools, and may come up with a recommendation for a bond issue. The Alabama Education Assn. already has recommended a bond issue.

But what do the legislators—the men who will make or break a bond issue—think of it?

Thurs. 12-4-58

There was one answer which pretty much expressed the answers to this question. State Rep. A. J. Brooks of Fort Deposit answered a "Yes . . . and No . . . undecided, with the integration issue as it is, I think we should go slow with new school buildings."

74

The problem of school integration entered many of the answers from the legislators. Some of the legislators apparently feel this way about it:

"Why should we float a large bond issue and build schools, if they are to be closed when integration comes?"

A total of 74 per cent of the answers indicated they would favor a large school-building bond issue. But there were many "if's," and from the tone of the answers, there will be much discussion of this before any action is taken.

Just after his nomination as Democratic candidate for governor, John Patterson talked of a possible school bond issue in a special session of the Alabama Legislature early in 1959.

Now, Mr. Patterson is saying very little about a possible school bond issue being brought up in any special session.

Here are some of the answers to this question:

"Will you support a large bond issue for the purpose of building new schools in Alabama?"

"Uncertain," said an East Alabama senator, "if integration becomes a reality in Alabama, I would not support a bond issue for school construction. I advocate a wait-and-see policy."

Said Sen. Dave Archer of Huntsville: "I am in favor of whatever means may be necessary to raise funds to adequately take care of our school building and educational program."

"No . . . because we do not know if we can even use them (the buildings) as segregated schools. Also, where will the retirement money (for the bonds) come from?" said a South Alabama House member.

"Yes . . . I will vote for a substantial bond issue (not to exceed $150 million) providing it will be spent over four to six years and if it (the bond issue) can be amortized without jeopardizing present needs," said State Rep. L. W. Brennan Jr. of Foley.

"I realize the importance of schools and their needs. I would consider first funds to pay the teachers in Alabama a comparable salary to adjoining states. School facilities come next," said State Sen. Carl C. Golson of Fort Deposit.

"Yes . . ." said a North Alabama senator, "We need classrooms in nearly every school building in the state of Alabama. We need more teachers, more and better equipment."

Other comments:

"Undecided . . . depends on prospects for keeping public schools in operation," said State Sen. Robert G. Kendall Jr. of Evergreen.

"No . . . not at the present time," said State Rep. Charles H. Ramey of Akron.

"Yes . . . so far as I know at present," said State Rep. Arthur Louis Ferguson of Northport.

State Rep. Sam Nettles Jr., of Arlington said: "No . . . not until the problem of integration is somewhat more settled."

"Yes," said State Rep. Buford L. Copeland of Gadsden.

"No . . . not at this time because of the racial situation," said State Sen. Roland Cooper of Camden.

"I will support one that is within reach of our needs and the ability of our taxpayers to pay," said State Rep. Fletcher Jones of Andalusia.

"Not a large one at this time . . . but one of some kind and one for the colleges," said an East Alabama House member.

"No . . . I believe in returning school financing to the local level," said a South Alabama legislator.

"Yes . . . the need for additional classrooms should be known to every one," said a Central Alabama House member.

"My stand will be based on the outcome of the segregation issue . . . and I am a segregationist," said a North Alabama senator.

"Certainly the colleges will have to have money to expand if their enrollments double in the next 12 years as expected. I doubt the wisdom of a statewide bond issue for grade schools," said a Central Alabama legislator.

"Definitely will for white and colored colleges and universities. I have mixed feelings about the wisdom of it in grammar and high schools. Probably I would not (favor the bond issue) under conditions existing," said a North Alabama legislator.

"Yes . . . How large, I am not sure. I feel we must go forward in our school building program. How it's financed, etc., will influence the amount I am willing to support," said a Central Alabama senator.

"Yes," said a Central Alabama House member, "I would support a bond issue of some type. How large will depend on my findings of the school needs. The reason: Our children need better education to cope with the outside world. Also, separate but equal schools might someday be a way to maintain segregation."

"Yes, I will support a bond issue of $50 million without a vote of the people, and I will vote to submit to the voters one larger than that amount," said a North Alabama senator.

"Yes," said an East Alabama House member, "because I am firmly convinced that there is a dire need for more new classrooms and replacements for many now in use."

"Yes . . . schools are one of our most pressing needs," said a South Alabama senator.

"I realize there is decided need for school buildings, but I am not willing . . . at present . . . to commit myself to this program," said a Central Alabama House member.

"Not ready to say," said an East Alabama House member.

Schools need money despite integration crisis, says educator

BY FRED TAYLOR
News staff writer

The segregation-integration problem definitely does not decreases the need for additional revenue for Alabama schools, which are seeking $40 million more yearly for the state's minimum program fund an education leader declared here last night.

News p. 39

Dr. O. P. Nelson, executive secretary of Alabama Education Assn., who emphasized he favors maintaining segregated schools, told Birmingham teachers that "the race issue doesn't make us need any less money."

Wed 10-15-58

State Sen-Nominate Larry Dumas stressed, as did Dr. Nelson, the need for marshaling the "best brains" of business men, educators and others in the setting up of a private school system, if this is forced upon the state.

"Let's pray we can maintain a public school system in Alabama," declared Dumas, Birmingham attorney and longtime school leader. "But if we can't, then let's do something else. It's fine that plans are being made for a private school system."

But Dumas added that "It will take thoughtful, intelligent planning. It will take the best brains to get a private school system ready."

Birmingham Ala

THEY SPOKE at a legislative workshop sponsored by Birmingham Teachers Assn. and Birmingham Classroom Teacherrs Assn., with Dumas addressing a dinner meeting at Robert E. Lee School.

In pointing out that public officials have said they will close the schools, if forced integration is attempted under U. S. Supreme Court rulings, Dumas proposed that "an immediate inventory be made of all available buildings and other facilities to get ready for a private system."

Dr. Nelson said that "personally, I can't conceive of a private school corporation being set up, without using the best brains of the state's business men and school leaders." He added he was making this as a suggestion and "not criticizing anyone."

Nelson said that if private schools are set up, "then we've got to have some kind of subsidy and part of it will have to be done with public funds."

He pointed out that it presently costs some $400 per child each school year to provide public education for Alabama children, adding that "some people simply cannot pay that amount."

TEACHERS EVIDENCED deep concern over what would happen to the children—and to the teachers—if public schools are abolished and private schools established. Raised were the questions of teacher tenure and teacher retirement.

"I don't believe the teachers should be pawns in this," said Bobby Whetstone, science teacher and band director at Banks High School in East Lake.

Dumas said "it would be tragic if you have to turn 65,000 students in city of Birmingham out of school. We can't have them roaming the streets. Our teachers would be out of immediate useful work and might have a problem in finding a job. These are problems we've got to face."

He added that the state's teacher tenure law and accumulated retirement benefits "would protect the teachers for a while."

DUMAS POINTED out that if the Supreme Court knocks out Alabama's pupil placement law, now under attack, there are other legal means available for maintaining segregated schools.

"The Legislature has provided us with laws which are NOT subterfuge, but bona fide methods of operating the schools," Dumas continued. "We hope to operate them on a segregated basis, and by all legal tests they (these statutes), are lawful."

Dumas cited the fact that "great strides have been made in providing greater educational facilities" for Negro children here and elsewhere over the state.

"We decry bombings of public schools and places of worship," said Dumas. "We must exercise self-restraint, intelligence and moderation in dealing with this problem."

NINTH DISTRICT CONGR. George Huddleston Jr. and two other Democratic nominees for Jefferson legislative posts — Tram Sessions and Hugh Locke Jr.—attended the teachers' workshop. Presiding were Elsie Dillon, principal of Robert E. Lee School and president of the Birmingham Teachers Assn., and Katie Lee Thompson, president of the classroom teachers groups. Charles Mayfield, BTA vice president, presided at the dinner meeting.

School Board May Discuss Private Plan

Advertiser p. 1

Montgomery Ala

The Alabama Education Commission meets here Thursday amid reports it may issue a statement expressing its views of the proposed private school system for the state.

The 21-member commission was created by the 1957 Alabama Legislature to make an extensive survey of the state's educational system and to recommend to the 1959 Legislature what steps should be taken to improve the system.

Thurs 10-30-58

In recent weeks interest has mounted in the suggested private school system as a possible route to take to preserve racial segregation. As yet the commission has remained silent on the subject of private schools but some expression on the question is anticipated in the near future, perhaps at Thursday's meeting.

The meeting of the commission was called for the purpose of finding ways and means to speed up the completion of committee work. Six committees were created to make various studies but to date only one—the Committee on Organization and Administration—has submitted its final report.

Not until all committee reports are in can the commission begin drafting the report it will submit to the new Legislature next May.

The meeting Thursday will begin at 9:30 a.m. in the commission offices on the third floor of the Capitol.

Major reforms in money laws urged in state

Birmingham News

BY FRED TAYLOR, News staff writer

MONTGOMERY, Ala., Dec. 15 —A $38 million yearly tax increase for operation of Alabama schools and $65 million in bonds to meet building needs in elementry and high schools and colleges were recommended today to the incoming Legislature.

These recommendations, which included a 10 per cent pay raise for some 25,000 teachers in grade schools and salary increases totaling $2 million annually for instructors in state-supported colleges, were made by the Alabama Education Commission's subcommittee on finances.

The raise for teachers in elementary and high schools would total more than $10 million a year.

Birmingham Ala

THIS SUBCOMMITTEE, headed by Mervyn H. Sterne, Birmingham investment banker, which has devoted more than a year to study of the school's monetary needs, said Alabama could well afford to double its present yearly school budget of $116 million in the next 15 years.

The additional funds would be raised by:

Levying another 1-cent state sales tax and use-tax (boosting the present sales and use taxes to 4 cents), producing approximately $25 million more. Present sales and use tax exemptions would be retained.

Mon 12-15-58

RAISING THE STATE income tax rate to a flat 5 per cent on both individuals and corporations to bring in some $12 million more annually.

The present rate on individual incomes ranges from 1½ to 5 per cent, with 3 per cent now being the maximum rate on corporations.

p. 1

Also recommended was that the state be taken out of the ad valorem (property) tax field to leave this revenue source completely to counties and municipalities.

The subcommittee urged abolition of the state's 3-mill school tax and its reenactment as a district levy for education.

IT SUGGESTED abandonment of the 2½-mill general fund tax and the 1-mill Confederate pension tax, with this 3½ mills to be added to the amount municipalities and counties could levy to encourage more local aid for schools.

The subcommittee proposed a constitutional amendment to permit each county, which has not already done so, to levy up to 5 mills more ad valorem taxes, provided it was approved by voters in each county.

Twelve counties, including Jefferson, long ago levied this suggested local increase for public education.

News

To knock out the state ad valorem levy would lop off approximately $8 million from revenues presently going to the state general fund and to the Confederate pension fund.

However, the subcommittee recommended that this be replaced from the additional money that would be derived from sales and use tax hikes.

Mon 12-15-58

Elimination of the state from the ad valorem field would depend on whether the incoming Legislature approved the proposed 1-cent increase in the sales and use taxes.

The group said another $10 million revenue increase could be derived from a continuation of the tax equalization program to revise assessments.

And it expressed the belief that increased local effort, under the proposed new property tax schedules, would produce many more millions of dollars a year for public education.

14d(1)

Bond issues explained

Ala

AS TO THE PROPOSED bond issues, it was suggested that $50 million be authorized for urgent building needs to construct new buildings and enlarge present ones for elementary and high schools.

But this would be on a matching basis. Any county receiving any of this money for buildings would be required to match it on an equal basis.

The other $15 million in bonds would provide new buildings at the institutions of higher learning.

The subcommittee on buildings and transportation had asked for $150 million in bonds for the schools, but the finance committee recommended this be cut to $65 million as a starter.

The finance group and other subcommittees, which turned in recommendations today to Commission Chairman Joe M. Dawkins of Montgomery, were established by the full commission created by the Lackey-Edwards school study law.

Most School Cash Comes From Sales And Income Tax

Post Herald

P. 5

Tu. 9-3-58

Birmingham Ala

BY CLARKE STALLWORTH

(Editor's Note: This is one of a series of articles based on subcommittee reports to the Alabama Education Commission in Montgomery. Later, the commission members will make their recommendations on education to the 1959 Legislature).

* * *

Where does our state school money come from?

Mostly from the sales tax and the income tax, according to a recent report of an Alabama Education Commission subcommittee.

Money taken in from the sales tax jumped from $5,955,000 in 1939 to $64,686,000 in 1956. This was an increase of more than $58 million, or 986 per cent.

Money taken in from the income tax jumped from nothing in 1939 (there was no state income tax then) to $26,669,000 in 1956.

The tobacco tax and the use tax are the next biggest revenue sources for Alabama schools.

The tobacco tax brought in $3,351,988 in 1939. This jumped to $8,075,630 in 1956, an increase of more than $4.5 million, and a percentage increase of 140 per cent.

The proceeds from the use tax jumped from $426,796 in 1939 to $6,501,000 in 1956—an increase of more than $6 million, and a percentage jump of 1423 per cent.

The proceeds from the telephone tax jumped 706 per cent between 1939 and 1956. Proceeds were $144,449 in 1939, which rose to $1,164,828 in 1956, an increase of more than $1 million.

Other taxes which sent money into school funds:

Express company tax, which brought in $9218 in 1939, and brought in $10,255 in 1956, an 11 per cent increase.

Hydro-electric tax, which brought in $361,482 in 1939, and $454,329 in 1956, an increase of 25 per cent.

Iron ore tax, which brought in $203,679 in 1939, but the proceeds dropped to $189,133 in 1956, a decrease of 7 per cent.

Pullman Co. tax, which brought in $20,000 a year in 1939, and brought the same $20,000 in 1956.

Railroad gross receipts tax brought in $206,358 in 1939, and $550,337 in 1956, an increase of 166 per cent.

Store licenses brought in $99,780 in 1939 and $82,425 in 1956, a drop of 17 per cent.

The lodgings tax didn't bring in anything in 1939, but produced $527,438 in 1956.

Pupil transfer rules restated by board here

Birmingham News

Birmingham Ala

Sat. Dec. 58

P. 1

The Birmingham Board of Education has reaffirmed its regulations governing assignment and transfer of pupils.

The action came Friday, at the first board meeting since the U. S. Supreme Court upheld the Alabama School Placement Act on which the regulations are based.

The School Placement Law was challenged by local Negroes as an unconstitutional means of barring them from white schools.

The local regulations were originally approved by the school board last June 6. They give the school superintendent authority to assign and transfer pupils.

SEPARATE WRITTEN applications on forms to be provided by the superintendent are required of each child desiring assignment or transfer.

Denial of a transfer by the superintendent shall be considered the final action of the board unless a hearing before the board is requested in writing within 15 days.

The superintendent is given authority to require interviews of pupils and their parents or guardians. He may also call for tests, examinations and other investigations. Failure to appear for the interviews or tests will be considered withdrawal of the application.

IF A HEARING before the board is requested, parents or guardians will be given five days written notice of the time and place. After the hearing the board has 20 days in which to notify parents of its decision.

Exception to the board's decision may be filed within five days of notice of the decision. The board will then meet within 15 days to consider the exception.

VOICE OF THE PEOPLE

Our Public Schools Seen As Crumbling

Birmingham News

Birmingham Ala

Fri. 12-19-58

P. 10

Over and over we hear from parents of school children, school board members and laymen of every type ask why don't more young people prepare for a teaching career?

I can tell you why. The public who is so liberal with criticism should be subjected to a teacher's job only one day. After continuous criticism, overcrowded classes, poor equipment, low salaries, and all sorts of inconveniences a teacher contends with, the public would do something to help the situation instead of contributing to the low morale that continues to exist in schools among teachers.

For a young person, teaching is humiliating, frustrating, and disappointing, and the nerve wracking experience is apt to ruin one for any other type career. Soon the teacher becomes insecure, dogmatic, unbalanced, and after being in the public eye constantly, subjected to frequent criticism, nerves begin to break and the first thing a teacher knows he is doing absurd and foolish things; making statements he can't possibly back up; going overboard about one thing and entirely overlooking something else equally as important. He truly becomes the peculiar sort of individual he is described as being—bewildered, lonely, frustrated.

Parents are naturally concerned about their children's welfare and guidance and rightfully so. Still, parents have done little to remedy the fact that a tremendous amount of difference is being made in the physical plants of schools, teachers salaries, and attitudes bestowed on schools and schoolteachers as compared with other tax supported projects.

With integration problems, lack of money, and the public's critical attitude toward teachers, morale in our schools has hit rock bottom.

As a teacher and parent, I beg for cooperation from the parents, for a better understanding of the deep rooted feelings about integration in our schools on the part of integrationists, and for more money to maintain schools. If these conditions are met, then it would certainly follow that more gifted and talented individuals would be attracted into teaching. The restless and unhappy atmosphere in our classrooms would disappear.

If something is not done, our public schools will crumble and collapse, both materially and morally. The teacher will continue a pathetic and slightly ridiculous figure in the eyes of the public. Within a 10-year period there will be no young people preparing for a teaching career. In a short time there will be no more public schools. The "little red schoolhouse" we like to think fondly of as a pleasant part of America will be a thing of the past because we are overlooking a major problem in our society today.

FLORENCE ABRAMS,
Route 3, Wetumpka, Ala.

Florence Negro School Is Destroyed By Fire

Sat. 12-13-58

WC Post Herald

P. 9

Birmingham Ala

Special to The Post-Herald

FLORENCE, Dec. 12—Christmas vacation began more than [illegible] early for some 360 Negro students at Burrell-Slater High [illegible]

The 23-year-old building was destroyed by fire last night.

An investigation was being conducted today to determine the cause, but there was no indication that the blaze was anything other than an accident.

School Supt. Rufus Hibbett said there was no suspicion that the fire was deliberately set. The blaze apparently began in the auditorium area of the one-story structure about 9 p.m.

It is the only Negro high school in Florence.

The school housed grades 7 through 12, and was located on South Court st.

Only items saved were desks from three rooms, band room, three sewing machines, some band instruments, and football and basketball uniforms.

The building contained 13 classrooms, offices, auditorium, band room, library and home economics facilities.

Fire Chief Bob Lovelace said he did not think arson was involved, and indicated that the fire may have started from the wiring.

A replacement for the burned building would cost

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World
Sat. 4-12-58
P. 1
Birmingham Ala

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BESSEMER ED-CITIZENSHIP TOURISTS IN NATION'S CAPITAL—(Washington, D. C. SNS)—In spite of the downpour of rain this group of 24 Bessemer School children together with their eight chaperones braved the weather long enough to lower their umbrellas and pose for a picture on the muddy lawn of the U. S. Capitol.

Bessemer Students Enjoy Long 'Citizenship Tour'

World P. 1 - B'ham Ala

By ALICE A. DUNNIGAN

WASHINGTON — (Special) — Young people of Bessemer, Alabama who have just returned home from a "citizenship tour" of Washington and other points of interest, were thrilled at the opportunity of seeing the Congress of the United States in action. They were also impressed with the many Negro politicians who are holding top positions in the Nation's Capital.

Sat. 4-12-58

They were greeted by the Negro Congressmen, Charles Diggs of Michigan and Adam C. Powell of New York. They met such other celebrities as Val Washington, assistant to the Chairman of the Republican National Committee and his administrative assistant, Mrs. Thelia Thomas.

14d(1) Ala

Among others whom they chanced to meet were Joseph Clark and Miss Cora Brown of the Post Office Department, Phillip Sadler of the Housing Administration, George Holland of the Veterans Administration, and E. Frederick Morrow of the White House staff.

Enroute to Washington the group visited Anniston, Ala., and Atlanta, Georgia. They passed through Gainesville, Ga. They spent a night at Alexander Hotel in Charlotte. As they continued their journey toward Washington they passed through Salisbury, High Point, Greensboro, Reidsville, Danville, Lynchburg, Va., and Charlottesville.

One of the highlights of the trip was their visit to Monticello, the home of Thomas Jefferson. In Washington they visited the Smithsonian Institute, Howard University and the Supreme Court where they interviewed Mr. Justice Hugo Black from their home state, and where they had lunch. Afterwards they visited the Capitol and the House office building where they met the Negro Congressmen.

After a couple of days in the Nation's Capitol, the group journeyed on to New York, Baltimore, and Philadelphia. Among the things they were scheduled to see in the great Metropolis were the Statue of Liberty and the Vic Damone show originating at the CBS studio. They also had on the itinerary a visit to the United Nations and the Empire State Building and finally a tour of Radio City.

In Philadelphia the young people were pleased to visit Independence Hall.

On their return trip they visited Gettysburg. Continuing their journey, homeward the party passed through Frederick and Front Royal, Virginia, Shenandoah Valley, Roanoke, Knoxville, and Chattanooga, Tennessee and Rock City atop Lookout Mountain.

Among those participating in the annual pilgrimage this yaer were: Jo Ann Coleman of Carver junior high school; Pinkie Hill, Shirley Lucas, Verna Davis, Lucile Holley and Carlton Reese of Westfield high school. From Muscoda junior high were Yvonne Clayton, Anna Henderson, Christian Hatcher and Preston Byrd. Perhaps the largest group came from the Dunbar High They included Shirley Wesley, Bomer Gunn, Byrdie Harris, Walter Steele, Clara Bell, Bettye Alexander, George Olds, Fred Williams, Earline Dowdley and Alma Owens. And from Wenonah high school were: Cleopatra Howard, Samuel Owen Bell, Flora Hubbard and Patricia Cook.

Other members of the tour representing the Educational Citizenship Council were: Mrs. Pearl A. Shelton, Miss L. J. Bowman, Mrs. Daisy H. Chapman, Mrs. Mamie J. Spencer and Mrs. Cornelia Addison. Mrs. Bernice Hatcher Bedell was directress; James Benn, chaperone; Mrs. Eliza Lee Penny, reporter; and D. E. Holmes, driver.

School Status In State Seen As Unchanged

Advertiser
P. 1
Montgomery Ala.

Atty. Gen. John Patterson, Democratic nominee for governor, said Wednesday night that he forsaw no immediate danger of Alabama's present segregated education status being weakened by the integration decision involving the University of Florida'a graduate school.

Thurs. 6-19-58

"I'd rather not say anything else about it until I've had a chance to find out just exactly what brought it about," said Patterson.

W. L. Longshore Jr., Republican nominee for governor and Birmingham attorney, said he thought there was little chance of "such a thing happeiing in Alabama."

14d(1)

"However, we must always grid ourselves for a possible fight against these groups thrusting themselves against our school system," he said.

State Sen. E. W. Skidmore said that he didn't feel that the Florida decision would affect Alabama because it was apparently similar to the "Lucy case of two years ago."

Advertiser
Thurs. 6-19-58

"It should serve as something of a storm warning to us though, and make us even more alert than ever, just in case the NAACP does decide to take courage at the Florida decision. No, I don't anticipate any sudden splurge of integration activity here, at least no more than what is already here."

When asked whether he thought Alabama would be affected by the decision, Sen. Sam Engelhardt, chairman of the commission conducting a study on the possible abolition of Macon County because of Negro voter control, said "such a thing might be ordered in Alabama, but whether the University would follow it is another thing."

ANOTHER STEP

14d(1)

"It is just another step to encircle us," he declared. "They won't quit trying and we certainly won't quit fighting!"

"But they don't have the footing here," he said.

"I hope it won't cause another Lucy case here," he contunued. "This decision in Florida is just a foot in the door — just a little bit of integration, so to speak — and we can't live by that."

State Sen. Albert Boutwell, Democratic nominee for lieutenant governor, Supt. of Education A. R. Meadows, and Chief Asst. Atty. Gen. MacDonald Gallion, Democratic nominee for attorney general, were all asked for opinions on the Florida decision, but declined to give any comment until they had "looked into the matter further."

IN BIRMINGHAM CASE

Negroes To Seek School Entry Through Top Court

14 d (1)

BIRMINGHAM (AP) — Negroes Negroes seeking to break down racial segregation in public schools will carry their battle to the U.S. Supreme Court, one of their leaders said Tuesday.

Advertiser

The Rev. F. L. Shuttlesworth said that an appeal would be filed from a U. S. District Court ruling that the Alabama School Placement Law is constitutional. The decision of a three-judge panel was announced May 4.

Wed. 6-4-58

The placement law was enacted to circumvent the U. S. Supreme Court ruling that segregation in public schools is unconstitutional. Without mentioning race, the statute gives local boards broad powers in assigning students to schools.

Montgomery

The suit was filed by Shuttlesworth and other parents of four Negro children who were denied enrollment in all-white Birmingham city schools.

Ala

Shuttlesworth is president of the Alabama Christian Movement for Human Rights, members of which are attacking Birmingham's bus segregation laws in another federal court case.

The Negro minister announced plans to continue the attack on the placement law after appearing before the city commission with a petition seeking admission of Negroes to the all-white Birmingham police force.

Public Safety Commissioner Eugene Connor told Shuttlesworth that he came to the meeting only to get publicity. The commissioner later instructed police to ask Shuttlesworth to submit to a lie detector test in connection with the bombing of his church on Christmas night.

Shuttlesworth said that he would submit to a lie detector test if Connor also would undergo the examination about bombings in the city and other pollce and racial matters.

A heavy dynamite explosion wrecked Shuttlesworth's church and adjoining home and injured one of his children slightly. No arrests have been made in this case or other bombings of Negro homes.

Shuttlesworth said in reply to the charge that he was seeking publicity, "I don't think publicity is necessary and I don't want publicity. But, with or without publicity, we intend to keep trying until we have Negroes both on the police and fire departments."

Mayor James Morgan would not permit pictures of the commission meeting because, "we are laying into their hands by giving them (the Negroes) publicity."

PRIVATE SCHOOL PICTURE—No. 1—

If Schools Close, Where Will Pupils Attend Classes?

This is the first of several stories on the private school situation in Alabama written by The Post-Herald's legislative and political expert.

Post Herald

BY CLARKE STALLWORTH

Wed 10-28-58

If Alabama schools should be closed in the face of an integration order, where would the children of the state go to classes?

Who would provide the instruction? And the buildings?

Those are questions of grave concern to Alabama leaders and much midnight oil is being burned while a search goes on for the answers.

In the Little Rock case, the U. S. Supreme Court has said that a private school organization may not use public school buildings for private school purposes.

Ala

It has said that a school board may not use "evasion" to escape integration.

This decision conceivably could knock out Alabama plans to turn over public schools to private school organizations, and continue segregated schools along that line.

Birmingham

One case, testing the Alabama placement law, now is before the U. S. Supreme Court.

A three-judge Federal Court panel held that Alabama's placment law is constitutional, but that applications of it may not be.

The decision of this three-judge panel was appealed to the U. S. Supreme Court, where it now is pending.

If the high court overrules the three-judge panel, and says Alabama's placement law is unconstitutional, this may mean a court order for Birmingham Negroes to enter white schools.

If this happens, the Birmingham schools may be closed by the state or by the city.

What then?

Several ideas have been advanced. A few days ago, MacDonald Gallion, the Democratic nominee for attorney general, said that a private corporation is being organized to supply schooling for pupils of closed schools.

The corporation, Gallion said, will have a board of trustees representing each congressional district.

"If properly supported by the public, a full-time experienced educator and administrator will be employed . . . and . . . an endowment fund will be started at the earliest possible time," he said.

Gallion said the formation of the corporation did not mean he felt that Alabama's freedom of choice and placement laws are unconstitutional . . . "but we in Alabama should be prepared in any event to prevent the interruption of our school childrens' education."

A Birmingham attorney Grover S. McLeod, has said that a private school system could be set up in the churches if the public schools are closed.

McLeod says that the state could give each parent of a child a certain amount of money which could be used for schooling or anything else.

But there are many "if's" in the murky waters of speculation about the segregation problem. One politician, known for his interest in segregation laws, was asked what should be done if the schools are closed.

"I just don't know," he said.

TOMORROW—The Picture in Birmingham.

MACON COUNTY BOARD OF EDUCATION
CONDENSED STATEMENT OF REVENUES AND EXPENDITURES OF CURRENT FUNDS
October 1, 1957 to September 30, 1958*

Tuskegee News
Tuskegee, Ala.
Thurs 10-16-58
P3
14 d (1)

REVENUES and RECEIPTS		
State	$897,399.94	
Federal	59,511.21	
County	49,512.75	
District	35,901.40	
Other Revenues	7,572.00	
Revenues from Other School Systems	36.00	
Non-Revenue Receipts	2,923.17	
NET REVENUES		$1,052,856.47
Unappropriated Surplus 1956-57		109,508.30
Transfer from Special Bldg. Fund		85,000.00
TOTAL		$1,247,364.77
EXPENDITURES		
General Control	$ 18,309.58	
Instruction in Day Schools	833,046.53	
Operation of School Plant	30,281.07	
Maintenance of School Plant	13,130.40	
Auxiliary Agencies	105,704.33	
Fixed Charges	12,220.26	
Capital Outlay	34,872.80	
Debt Service	13,150.00	
TOTAL EXPENDITURE		$1,060,714.97
Unappropriated Surplus 1957-58		186,649.80
TOTAL		$1,247,364.77

The above is a true and correct statement of the Receipts and Disbursements of the Board of Education of Macon County, Alabama, for the period beginning October 1, 1957 and ending September 30, 1958.

Signed: Board of Education, Macon County, Alabama
C. A. Pruitt, Its Superintendent

*Details of revenues and expenditures are available in the office of the Board of Education.

EARLIER DECISION REVERSED

High Tribunal Washes Hands Of Tiff By Parents Over Child's Schooling

Montgomery Advertiser

By BOB INGRAM

The Alabama Supreme Court ruled Thursday that a dispute between parents as to where their child should attend school was not a question to be settled by the courts.

Montgomery Ala

In so ruling, the tribunal reversed a decision by Montgomery Circuit Judge Walter B. Jones who earlier had issued an injunction restraining the mother from interfering with the child's education.

14d(1) Ala

Key figures in the unusual case were Jack Kilgrow, his wife Christine, and their 8-year-old daughter, Margaret, all of 726 S. Lawrence.

11-7-58

Kilgrow is a Catholic, insisted the child be educated at Loretto, a Catholic school. Mrs. Kilgrow is a member of the Clayton Street Baptist Church. She insisted that Margaret attend public school.

The issue came to a head in September, 1957, when Kilgrow went into court where he petitioned for and was given a restraining order which prohibited his wife from interfering with the child's education.

p. 1

Mrs. Kilgrow, through her attorney, Sol Brinsfield, appealed to the Supreme Court. It was on this appeal that the court ruled Thursday.

The high court's ruling, written by Associate Justice John L. Goodwyn, stayed clear of the religious question involved and merely held that a family dispute of this type had no place in the courts.

Brinsfield had made the point in his brief that Judge Jones' ruling amounted to giving preference by law to a particular religious group in violation of the Constitution. The Supreme Court did not rule on this point, explaining that it felt comment was unnecessary "in view of what we have said."

In a carefully phrased opinion which was unanimously approved by the other members of the court, Justice Goodwyn said that if the court should hold that it had jurisdiction in this case it would "open wide the gates for settlement in equity of all sorts and varieties of family disputes concerning the upbringing of children."

Continuing, Goodwyn ruled:

"It may well be suggested that a court of equity ought to interfere to prevent such a direful consequence as divorce or separation, rather than await the disruption of the marital relationship.

Advertiser

"Our answer to this is that intervention, rather than preventing or healing a disruption, would quite likely serve as the spark to a smoldering fire.

11-7-58

"A mandatory decree supporting the position of one parent against the other would hardly be a composing situation for the unsuccessful parent to be confronted with daily.

"One spouse could scarcely be expected to entertain a tender, affectionate regard for the other spouse who brings him or her under restraint."

State Chiefs Look To Alabama Law

14d(1) Ala

By BRUCE GALPHIN

Atlanta Constitution

Some Georgia government leaders are saying that the only way Georgia can survive the school crisis without closing all its schools is to remove every reference to segregation from its constitution and statute books.

Atlanta Ga.

Yet it can be flatly predicted that the next Legislature will approve no such change.

The reasons are complicated, but they can be summed up simply: The plan is politically unpopular.

Sat. 11-29-58

Some idea of the degree of unpopularity can be seen in the insistence of state officials that their remarks are not for attribution.

"Now don't quote me," one said. Another: "If you say I said that, I'll call you a liar."

But in private these officials say they see no other course for Georgia save closing the schools and giving up the idea of tuition grants.

P. 1

Their line of argument was given fresh support in the U.S. Supreme Court's decision Monday on the Alabama placement law.

Alabama did remove all references to segregated schools from its books and in their place adopted a law giving local school boards broad powers to assign pupils.

Thus the courts held that "on its face," the Alabama law was not an evasion of the 1954 desegregation decision.

If Alabama uses its law consistently, without exception, to continue segregation, the law could be held unconstitutional in its application, the court warned.

As a practical matter, the decision probably means that Alabama will be able to keep most of its public schools open and segregated for a long time.

Constitution

SEPARATE ACTION

Instead of being able to institute one suit that in one swoop will knock out all the state's segregation defenses, Negro litigants will have to bring action in each school district and possibly in each individual school.

But as far as Georgia political leaders are concerned, the plan has one fatal defect: it could in some instances lead to integration.

Sat. 11-29-58

Gov.-elect Ernest Vandiver is not only one of the authors of the "private school plan" now on the books, but he campaigned strongly last summer on a promise that "not one" Negro would be admitted to a white school.

He would therefore be in a difficult position if he recommended any drastic shift from the private school plan.

But an even more decisive factor in his planning doubtless is the fact that it will be 1960 before any new constitutional amendment can be voted on by the public.

14d(1)

Even if Georgia were to adopt Alabama's pupil placement law in the next session and repeal the private school laws, the placement law likely would be declared unconstitutional "on its face" as long as the state constitution requires segregation.

Furthermore, it is almost certain that the federal courts will kill the segregation section of the Georgia constitution before voters could pass on an amendment.

So, coldly stated, the political proposition is this: Why should the new governor propose a plan that would be political dynamite when the courts will do the work before the state could carry it out anyway?

LONG RUN

Vandiver could get a lot of political mileage out of an intransigent position even though he may lose the battle in the long run.

Of course, if the state stands pat or makes only minor changes in its present segregation laws, the day may come soon when court rulings leave Georgia with no segregation laws on the books whatsoever.

In that case, the state would have only one choice: integrate or cut off all public funds for education.

And that is why some quiet men on Capitol Hill think Georgia should make a basic shift in its approach to the school problem.

Supreme Court Gets Birmingham Integration Suit

Montgomery Advertiser
Montgomery Ala
Wed. [illegible]-58
P.10

BIRMINGHAM (AP) — A group of Negroes, two months after losing a federal court suit to integrate Birmingham city schools, appealed the decision to the U.S. Supreme Court Monday.

The appeal, filed one day before the deadline, stems from a three-judge panel's ruling May 9 that the Alabama School Placement Law is constitutional.

The Rev. F. L. Shuttlesworth, integration leader, and other Negro parents filed suit against the law last spring after an unsuccessful attempt to enroll four children in an all-white school. One of the children was Shuttlesworth's daughter.

The School Placement Law is one of Alabama's legal ways of sidestepping integration. Without mentioning race, it authorizes local school systems to select which school a pupil may attend.

Little Rock Ruling Just Shrugged Off

Commercial Appeal

'Of Small Importance,' Says Alabama Educator

Memphis Tenn

MONTGOMERY, Ala., Aug. 19. — (UPI) — State Education Supt. A. R. Meadows Tuesday shrugged off the latest decision in the Little Rock school integration case as being "of small importance."

Wed. 8-20-58

"My judgment is that actual integration in schools in the Deep South is on the way out, just like prohibition," Dr. Meadows said.

P.15

"It doesn't matter what or how the recent ruling was made and what it says. It's of small importance. That situation out in Little Rock has helped show that actual integration in schools will not work in the Deep South, and that just getting the people in schools is not integration.

"It's evident in the Deep South that education and integration aren't going to mix. You just can't have both education and integration in the public schools. You can have one or the other.

"If force is used, there won't be any education at all," he added.

Alabama To Lag, Schoolmen Told

Commercial Appeal

Finance Group Head Dubious State Can Meet Needs

PRIORITY SYSTEM URGED

P.17

By United Press International

MONTGOMERY, Ala., Aug. 15. —The chairman of a finance subcommittee told the Alabama Education Commission Friday there is not much chance of meeting all school needs within the next few years.

Memphis, Tenn

Priority Urged

M. H. Sterne of Birmingham went on to suggest the most acute needs will have to be taken care of first while others are postponed. He urged other subcommittees in making their final reports to give priority ratings to the increased services they recommend. Mr. Sterne said the demands far exceeded "what the Legislature is likely to be willing or able to provide in any quadrennium."

Sat 8-16-58

The chairman of the finance subcommittee urged other committees to make public any evidence of waste or incompetence "beyond that which must be expected to some degree in any organization, large or small public or private."

Building Plans Discussed

Earlier Friday, a former state senator and onetime state financial director discussed a building program for the schools that would cost 340 million dollars in the next two years.

However, Hayse Tucker of Tuscaloosa told the commission his subcommittee realizes there is no chance of getting that much at this time. The "acute needs" would be outlined in a later report. An estimated 317 million would be spent on public schools with the remainder devoted to institutions of higher learning. Mr. Tucker said Alabama must "raise our sights to an optimistic altitude."

Alabama Cites Teacher Woes

Commercial Appeal

Many Science Instructors Lack Training

P.29

HIGHER SALARIES URGED

Memphis Tenn.

MONTGOMERY, Ala., Aug. 14. — (AP) — A special commission studying school needs in Alabama was told Thursday that hundreds of students in high school science classes are taught by teachers with little or no college training in that field.

The data was contained in a tentative report filed with the Alabama Education Commission by a subcommittee headed by Senator Joe Smith of Russell County.

Fri. 8-15-58

Another committee meanwhile recommended a minimum annual salary of $3,600 for all school teachers with a bachelor's degree and $4,100 for those with a master's.

Teachers Untrained

Mr. Smith's report on the instructional program in Alabama schools said of science training:

"More than 10 per cent of the white pupils taking general science courses are taught by teachers who have had no college preparation in the field of science.

Less than 7,000 students are taking high school chemistry. Most of the 204 full-time or part-time instructors majored or minored in chemistry in college.

Only 29 per cent of the teachers instructing the 4,395 students enrolled in physics classes took physics in college either as a major or minor.

The report said educators and the public itself seems to be aware of the need for expanded science instruction, but added:

"This has little chance of succeeding in the face of the critical shortage of trained teachers."

In the broader field of education as a whole, the committee said "some way must be found to get a larger number of capable young people to enter teacher training institutions."

'Can't Meet Needs'

Without that, the report said, "we can never hope to meet our needs."

A similar warning came from a commitee on school personnel headed by E. C. Pippin of Montgomery, vice chairman of the Alabama Labor Council.

The report on personnel called for public action to "encourage capable high school and college students, particularly men, to enter the teaching profession."

It said the average age of Alabama teachers is growing steadily higher, proving that fewer young teachers are entering the field than the number approaching retirement.

SCHOOL MIXING FIGHT CHARTED

Patterson Discusses Own Formula for Alabama

Times Picayune

MONTGOMERY, Ala. (AP)—Incoming Gov. John Patterson, with a watchful eye on Arkansas and Virginia, sketched a blueprint Wednesday of his own formula for keeping Alabama schools segregated.

Patterson, the incumbent attorney general, said he is keeping a close watch on developments in the other two Southern states because they may form a pattern for Alabama to follow.

Thurs 8-28-58

But meanwhile, he emphasized his belief that Alabama should have a stronger school closing law than the one now on the books. He advocated mandatory closing of any school where federal force is used as it was at Little Rock's Central High School last year.

P.10
New Orleans La.

Army troops were sent to Little Rock to enforce a court order to admit Negro pupils.

Patterson, whose Democratic nomination for governor is tantamount to election, also proposed a law to cut off state funds for any integrated school.

Since the state contributed 87 per cent of the money to operate public schools, few if any could remain open without that source of revenue.

The present law empowers school boards to close any school threatened with integration. But it isn't mandatory, Patterson pointed out, and it requires a week's notice and a public hearing.

Another provision of the law authorizes local boards to turn school property over to private individuals to operate private schools. State funds could be used to pay the private school tuition of pupils displaced by a school closing order.

Our Private Schools—

Church School Called Answer To Integration

Post Herald

Placement Law Already Finished, Attorney Declares

BY CLARKE STALLWORTH

Birmingham Ala.

If public schools here are closed because of integration, can a system of private schools be established in the churches?

Yes, says Birmingham Atty. Grover S. McLeod.

"The placement law is finished," said McLeod. "I'd like to say otherwise, but when you fight on the basis of our placement law all you're doing is paying a lawyer's trip to Washington."

Fri
10-31-58

McLeod's theory: If integration is ordered here, schools of the Birmingham system probably will be closed. He thinks that integration ultimately, will be ordered here, and that the schools will be closed.

P.13

To fill the gap, McLeod thinks that a system of private schools should be set up in the churches.

"These buildings are used about 45 minutes a week, and could be used the rest of the week for schools.

"How could you support these schools? Well, the state could subsidize individual students. The state couldn't discriminate. The parents of the children could spend the subsidy any way they wanted to.

"To get ready for such a private system, all the churches would have to do is employ teachers . . . they're ready to go.

"We probably have three times as many churches as schools. In Bluff Park, there is one grammar school and three churches with educational buildings.

"Take Wylam. It has one white grammar school and three large institutions with facilities each as large as the school. The Baptists have just built a $700,000 educational building.

"One of the reasons I think we ought to have the schools in the churches is this: If we turn loose every kind of private individual to run private schools, we'll have every kind of crackpot scheme.

"Actually, the church people are the pillars of the community. They have our children on Sundays and have the confidence of the home. I don't think anybody would be reluctant to let the churches educate the children.

Suppose the churches don't want to be used as schools?

"The churches aren't owned by the preachers . . . they're community establishments. If the people want to use them as educational institutions, I think they'll be used.

"The people have been lulled to sleep by politicians who say they can litigate this problem for 1000 years. It looks like it's over. There will be, there will have to be, bona fide private schools. But like all things, they'll have to grow."

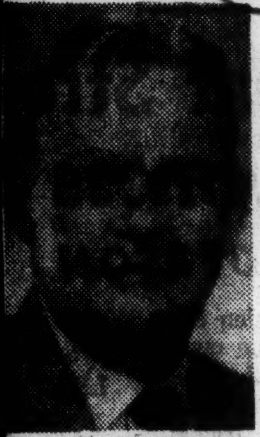
School Merger Plan Faces Fight

Atlanta, Ga.

By FRED TAYLOR

Staff Writer, The Birmingham News
Special to The Atlanta Journal-Constitution

Constitution



Fred Taylor

MONTGOMERY, Ala., Sept. 6 — Twin proposals for consolidation of state-supported colleges in Alabama under a single board and merger of county and municipal schools into one system in each of the 67 counties held the attention of education leaders throughout the state.

And these movements, spearheaded by State Sen. A. C. Shelton of Calhoun, a veteran school leader, were certain to bring heated battling when the Legislature meets next spring.

Shelton, successful businessman and long-time teacher and school administrator, who recently won renomination to another four-year term in the State Senate, also was readying another highly controversial bill.

It would, if approved by House and Senate and ratified by the voters, amend the state's constitution to give all counties and municipalities a chance to provide more local ad valorem (property) tax aid to education, which some already have done. Shelton's measure would enable each county, subject to subsequent approval of the voters in each, to levy up to five mills additional property tax.

But Sen. Shelton's No. 1 bill, which he said he would introduce at the beginning of the next legislative session, would consolidate Alabama Polytechnic Institute at

ALABAMA

Auburn, University of Alabama at Tuscaloosa and other state-supported institutions of higher learning under a single board. Each state-supported college now is governed by a separate board.

If Shelton's bill is approved, and this also would require a vote of the people to amend the constitution, it would set up a board of regents similar to that which has functioned many years in Georgia and a number of other states.

A two-fisted scrapper, Sen. Shelton said this proposal "is a very important step in the right direction," but added that "I expect the colleges to fight it."

Democratic National Convention and who is shooting for **top place** on the ticket in 1960, is doing something no other presidential aspirant has done in Alabama. In bidding for suport from this state, Kennedy is writing **congratulatory letters** to Democratic nominees to the incoming Alabama Legislature. He doesn't know (and they probably don't either) whether any of them will become **candidates for delegate** to the next Democratic convention. But he apparently figures some of them may very well become **candidates, or certainly be influential** in election of delegates. . . . Commenting on reports that he plans to issue an **executive order** drastically reducing the number state cars, **Atty. Gen. John Patterson,** Democratic nominee for governor, said "This certainly will be one of the **first things** that I intend to look into. We will make a **thorough check** of the number of cars and trucks (more than 4,000) the state has and what they're being used for." . . . A check of State Revenue Department records revealed that more than **177 million dollars** had been collected the first **11** months of the **1957-58** fiscal year and indicated that when **all tax revenues** have been added up for the full year the total will set a **new high.** . . . The most surprising disclosure made by the **Alabama Education Commission** in its wide-ranging study of school finances and other problems was that the state **average pay for Negro teachers** was higher than that for white teachers in Alabama. It was shown that the 1957-58 state average for Negro teachers' pay was **$3,434 for nine months, compared with $3,402 for white teachers.**

Sun 9-7-58

P. 7-E

Supreme Court Is Called Dictator By Rep. Andrews In Address At Montgomery

Tuskegee News

Tuskegee, Ala.

MONTGOMERY, Ala.—The U. S. Supreme Court has set itself up as a dictator and "the law of men" is being set up as the law of the land," U. S. Rep. George Andrews, of the Third Congressional District, declared in an address Tuesday night at a meeting of the Montgomery Citizens Council.

"In 1861 we faced a similar situation," Rep. Andrews declared. "The basic issue then was states' rights, as it is now.

"The United States government has become a dictatorship and the dictator is the Supreme Court."

Thurs 10-2-58

Citing the use of the 101st Airborne Division in the school crisis last year at Little Rock, Ark. Rep. Andrews said they were the toughest trained troops in the world.

P. 1

"When the president sends that kind of troops to a high school, then we have for all purposes a dictatorship."

Commenting on Alabama schools, Rep. Andrews called for auctioning of school buildings to the highest bidder "if worse comes to worst in Alabama."

"I'd rather see no schools in Alabama than to see an integrated school," he said.

Rep. Andrews labeled the exploitation of the integration question for political expediency as "cheap, political hypocrisy and demagogery.

"President Eisenhower's grandchildren and Vice President Nixon's children do not attend these integrated schools in Washington—they attend private schools. They want integration for the people, but not for themselves." he said.

He admonished the group that "if the South has the courage and determination to keep segregated schools, it can be done."

14d(1) 1958

ALABAMA

SEGREGATION LAW WOULD CLOSE
ALL DISTRICT SCHOOLS

✓

Segregation guard—

Law would close all district schools

Birmingham News

MONTGOMERY, Ala., Oct. 14—(AP)—Negro integrationists may be in a tough economic spot if a new plan to prevent race-mixing becomes law.

The proposal, described last night by an official who asked that his name be withheld, would close all schools in a district—white and colored—if any school is ordered integrated.

Birmingham

The official, a top segregation leader in Alabama, said the plan would work in conjunction with a private school proposal to re-open all white schools in the district affected.

News 10-14-58

"It all boils down to an economic affair, and that looks like the only way we can win this fight," he said. "The Negroes aren't in a position, economically, to operate schools for Negro children on an endowment basis."

FAVORABLE SENTIMENT is growing for the plan, the official said, which goes one step further than Georgia's segregation laws closing any school where integration is ordered.

P. 4

He said it may "be necessary to rearrange some districts containing only white schools. "We would want a Negro school in every district so that it could be closed along with the white schools," he added.

Judge Hears Attack On Ala. 1955 School Placement Law

In a courtroom packed with spectators, mostly Negro persons a three-judge federal panel last Thursday heard a legal attack on the constitutionality of Alabama's 1955 school placement law, which is designed to preserve the dual school system.

P.1

Circuit Judge Richard T. Rives Montgomery, frequently interrupted attorneys for both sides. Sitting with him were District Judges Seybourne H. Lynn and H. H. Grooms.

The cases was submitted on briefs with Atty. Ernest T. Jackson of Jacksonville, Fla., entering 20 exhibits, some of them with four subheads into the records. Both sides agreed on certain stipulations.

Neither side placed witnesses on the stand.

Wed. 4-9-58

Judge Rives questioned Atty. Reid Barnes, counsel for the Birmingham Board of Education on the Interposition Resolution and Nullifaction doctrine adopted by the Alabama Legislature. Atty Barnes argued that it had no bearing on the features of the pupil placement act, Atty Jackson said some of them might be workable if the Alabama public school system was re-organized. Atty. Rives then posed the question of who was to judge the workability of any features of the law, except a state court. He added that he was bothered with the question of whether the case was ripe for action by a three-judge court.

Birmingham, Ala.

The hearing was on the petition of four of nine parents who sought to enroll their children in the schools nearest to them, which were all white schools. They were not admitted to these schools.

Atty. James A. Washington, of Washington, D. C. professor of law at Howard University, who assisted Atty Jackson, branded the placement law as "defiance". He argued that it was designed to freeze Negro pupils in the segregated schools. He contended that the placement was unconstitutional on its face.

Lawyers representing the school board were Attys, Barnes, Joseph Johnson, Ormand Summerville and Thad Holt, Jr.

Representing the State of Alabama were Atty. General John Patterson and Assistant Atty. Gen. Gordon Madison.

Test Starts Today Of Placement Act

Post Herald

Negroes' Suit Opens In Federal Court

BY IVAN SWIFT

Test of Alabama's school placement law is scheduled to begin here today before three Federal judges.

The law is being challenged in a suit to get four Negro children into white schools.

Lawyers who have followed the case suggest several possible findings the court may make, depending on the testimony and evidence in the trial.

First, here is the background of the suit itself:

B'ham Ala

A group of Negroes, 13 then, four now, petitioned the Birmingham Board of Education on Aug. 20, 1957, asking the board to admit the children to several white schools here.

After that, a few names were withdrawn, one shifted off and back on, and the board began the legal processes the School Placement Law spells out.

School officials gave four of the Negro children the prescribed tests.

Thurs. 4-3-58

Then they sent more than 5000 questionnaires to parents of children in the schools that would be affected if integration should take place.

The questionnaires went out on Nov. 19, and a month later parents of the four Negro children filed a Federal Court suit asking the court to declare the School Placement Law unconstitutional and to order integration in the schools.

P.1

Some lawyers point to the small amount of time elapsed between the original petition and the suit's filing as possible reason the actual test of the placement law may be delayed.

They say that the four-month interval may be declared not long enough for the Board of Education to decide the issue and the court may tell the Negroes to wait until a decision comes down from the board either admitting or turning down the students.

The judges might set a specific date for the decision to come down, a time they feel would be long enough.

Or they might tell the board to hand down a decision as soon as it can decide.

In the case, the School Placement Law constitutionality itself would not be decided on.

And if the court should say that enough time has elapsed for the school board to have made up its mind, the judges could order the board to give a decision anyway before it settles the constitutionality of the case.

Since the School Placement Law is appealable, the court might tell the Negroes to appeal the decision, if they feel it isn't just, to State Circuit Court.

The Negroes could appeal the Circuit Court's decision to the Alabama Supreme Court.

Or Federal Court could declare the Placement Law unconstitutional and order the Board of Education to draw up an integration plan.

The judges who will hear the case are Richard Rives of the Fifth Court of Appeals, and Seybourn H. Lynne and H. H. Grooms of the Federal Court here.

BIRMINGHAM SUIT

Advertiser

Judges Delay Ruling On School Placement

Montgomery, Ala.

Fri. 4-4-58 P.1

BIRMINGHAM (AP) — A Negro challenge of the constitutionality of Alabama's school placement law was heard Thursday by a three-judge Federal Court panel, which delayed a decision.

The law, enacted in 1955, gives local school boards broad powers in assigning pupils to schools. It does not mention race but was enacted as a barrier to classroom integration.

The case heard Thursday is the first court move by Negroes to gain admission to white secondary schools in Alabama.

Presiding Judge Richard Rives of Montgomery, promised a decision after the court has had "time to give this careful consideration." Rives had indicated in questions to attorneys at the hearing that he thought the case possibly should have been aired first in state courts.

The suit was brought by attorneys for four Negro students who have asked for admission to two Birmingham white schools, which they say are nearer to their homes than Negro schools they now are attending.

The Birmingham Board of Education, a defendant in the case, has not announced any decision on the applications.

Attorneys for both sides were directed to submit copies of their briefs, exhibits and arguments which the judges will study before making their decisions. Serving on the panel with Rives, a judge of the Fifth U. S. Circuit Court of Appeals, were Judges Seybourn H. Lynne and H. Hobart Grooms of the U.S. District Court for the Northern District of Alabama.

Advertiser

One of the four petitioners is Ruby Fredericka Shuttlesworth, 12, daughter of the Rev. F. L. Shuttlesworth, a Birmingham Negro integration leader. The father is one of a group of Negroes seeking the end of bus segregation in Birmingham in another federal court action.

Rives commented during the hearing, "what is worrying me is whether this case is right for a three-judge panel to rule on its constitutionality."

P.2

"I wonder if you shouldn't get a construction of this matter from the state courts before coming here," he added.

The placement law provides that cases of students dissatisfied with their school assignments can be carried into state courts.

Ernest T. Jackson, an attorney for the Negroes, said under questioning that some sections of the law were fair while others were not.

Fri. 4-4-58

Rives then reminded him that Alabama law provides that if one section of a state statute is declared unconstitutional the other sections are not necessarily also held illegal.

Reid Barnes, an attorney for the school board, told the judges that the placement law applies to all pupils and not to Negroes alone.

He also argued that the constitutionality of the placement law could not hinge upon the discretionary acts of the superintendent of schools, Dr. Frazer Banks. He said that Banks also was given discretion by other laws.

The children sought admission to Phillips High School and Graymont Elementary. They were given tests required by the placement law and parents of children enrolled at the two schools were asked for their views about admission of Negroes.

Results of the tests and the poll never have been announced.

Shuttlesworth was beaten by angry white men last September when he attempted to escort a group of Negro children into Phillips.

Thirteen Negro children originally asked enrollment in Birmingham white public schools.

The four who pressed their applications and went into court are the Shuttlesworth child; Denise Armstrong, 8; Mathews Avery, 14; and Nathaniel Lee Horton, 16.

Atty. Joseph Johnston, arguing for the Board of Education, said that the Supreme Court decision outlawing segregation in public schools "never was intended as a mandate to mix the schools up" racially.

Placement Law Test Set For Thursday

Advertiser

Montgomery, Ala.

BIRMINGHAM, Ala. (AP) — A federal court panel Thursday will hear a petition to declare Alabama's school placement act unconstitutional.

The suit is the first court test of the placement law which confers broad powers on school boards in the assignment of pupils.

Thurs. 4-3-58

Parents of four Negro children petitioned United States District Court here Dec. 18 to declare the law unconstitutional, and also sought an injunction against the Birmingham Board of Education.

P. 1A

The children were among 13 who sought admittance to white schools in Birmingham last September, which resulted in violence and the beating of the Rev. F. L. Shuttlesworth.

Shuttlesworth's daughter, Ruby Fredericka, 12, is one of the four petitioners. Others are Denise Armstrong, eight, Mathew Avery, 14, and Nathanial Lee Horton, 16.

They assert that they want to attend Phillips High School or Graymont Elementary School and that in each case the white school is nearer their home than the school they now attend.

This is the first strong effort of Negro pupils to gain admittance to Alabama white schools under the college level.

Members of the federal panel are Circuit Court of Appeals Judge Richard Rives and District Judges Seybourn H. Lynne and H. H. Grooms.

Birmingham board asks suit dismissal

Afro-American
Baltimore, Md.
Sat. 1-18-58

BIRMINGHAM, Ala. — The Birmingham School Board last week filed a petition in Fedeal Court asking it to throw out the suit, filed on behalf of four colored children, challenging the constitutionality of the state School Placement Act.

Dismissal of the suit was asked on the grounds that the plantiffs had not exhausted all administrative procedures provided by the law and that the placement act is constitutional, unlike the plantiffs allege.

The school board's petition states that the suit, filed on behalf of the children and their parents, is based solely on "alleged unconstitutionality" and that the law is "plainly not unconstitutional upon its face."

* * *

CHALLENGING the law and seeking admission to white schools near their homes are four of the group of children that attempted to enroll in white schools here at the beginning of the fall term.

Among the plantiffs is a daughter of the Rev. Fred Shuttlesworth who was badly beaten by a mob of white men when he led the children to school on that September morning.

The suit has asked the court to issue a permanent injunction, among other things, against the board ordering it not to interfere with desegregation of the city schools.

* * *

NO DATE has been set for a hearing of the case before a three-judge court composed of Judge Richart T. Rives of the U.S. Fifth Circuit Court of Appeals and Judges S. H. Lynne and H. H. Grooms of the Northern District of Alabama.

The decision of the three judges can be appealed directly to the Supreme Court since a judge of the Circuit Court of Appeals is a member of the panel.

Integration Case Set For April 3

3 Federal Judges To Hear Suit Here

BY IVAN SWIFT

Post Herald
Birmingham, Ala.
Wed. 3-5-58

The Birmingham school integration case will be heard in U. S. District Court here at 10:30 a.m., April 3.

The date of the Alabama School Placement Law test was set yesterday after attorneys for the Birmingham Board of Education filed an answer recounting the board's defenses.

A three-judge panel will hear the case. The judges will be U. S. Circuit Judge Richard T. Rives of Montgomery, a member of the Fifth Circuit Court of Appeals, and Judges Seybourn H. Lynne and H. H. Grooms, Federal judges for the Northern District of Alabama.

The answer filed by attorneys for the board yesterday points out that the four Negro children trying to get into Phillips High School and Graymont Elementary School "were in the process" of having their eligibility determined when the suit was filed.

The complaint was filed in Federal Court here Dec. 18, 1957.

The board says that "the administrative processes" that were under way at the time of the suit's filing hadn't been completed when the integration action began.

The four Negro children involved in the suit are Ruby Fredricka Shuttlesworth, Denise Armstrong, Wathaw Avery Jr. and Nathaniel Horton.

The Board of Education had given them a series of tests and had sent questionnaires to parents of all children at Graymont and Phillips when the action began.

The attorney for the Negro children said in the complaint, the school board hasn't given an opinion "admitting or denying" the request the Negroes made to attend white schools.

Wed. 3-5-58

And he claimed the time elapsed since the board began the tests was enough for a determination.

The school board was following state law, the School Placement Law, giving the tests and sending affected white parents the questionnaires.

The board points out in the answer filed yesterday that the integration attempt is an action against the state "and without the consent of the state," noting such action is against the eleventh amendment to the Constitution.

The Negroes are asking the court to declare the School Placement Law "null and void" and issue an injunction preventing the board from adhering to its provisions.

And they have asked the courts to allow "the petitioners and others similarly situated"—meaning all Negro children—"to attend the public schools of Birmingham, Ala., on a non-racial discriminating basis."

In the board's answer it states that the board "denies that the plaintiffs or any other pupils have any right to be assigned to the schools nearest their homes on the grounds of proximity alone."

The Negroes' complaint says that some of the children were going to Negro schools farther away from their homes than white schools.

Concerning the Negroes' reference to the Supreme Court school integration decision, the board says it denies "that it has applied or proposes to apply to the assignment of the minor plaintiffs (four Negro children) any standards which are not constitutionally valid and permissible."

The board says it is "under no legal or constitutional duty" to reorganize the school system based only on where pupils live.

The answer ends with the statement that the Negroes have remedies which are "fully adequate . . . in the administrative procedures before the board provided by state law."

Cabaniss and Johnston and Lange, Simpson, Robinson and Somerville are the board's law firms in the case.

Ernest D. Jackson Sr., of Jacksonville, Fla., is attorney for the Negroes.

Ala. pupil placement law hit in U.S. court

Afro-American
P. 3
Sat-4-26-58
Baltimore, Md.

BIRMINGHAM, Ala. (ANP)—In a courtroom packed with spectators, mostly colored persons, a three-judge Federal panel Thursday heard a legal attack on the constitutionality of Alabama's 1955 school placement law, which is designed to preserve the dual school system.

Circuit Judge Richard L. Rives of Montgomery, frequently interrupted attorneys for both sides. Sitting with him were District Judges Seybourne H. Lynn and H. H. Grooms.

The cases was submitted on briefs with Atty. Ernest T. Jackson of Jacksonville, Fla., entering 20 exhibits. Both sides agreed on certain stipulations. Neither side placed witnesses on the stand.

* * *

JUDGE RIVES questioned Atty. Reid Barnes, counsel for Education on the Interposition Resolution and Nullification doctrine adopted by the Alabama Legislature. Atty. Barnes argues that it had no bearing on the issue before the court.

In sifting features of the pupil placement act, Atty. Jackson said some of them might be workable if the Alabama public school system was reorganized. Judge Rives asked who was to judge the workability of any features of the law, except a state court. He doubted that the case was ripe for action by a three - judge court.

The hearing was on the petition of four parents who sought to enroll their children in the schools nearest to them, which were all white schools. They were not admitted to these schools.

JAMES A. WASHINGTON, attorney, Washington, D.C., professor of law at Howard University, who assisted Atty. Jackson, branded the placement law as "defiance." He argued that it was designed to freeze colored pupils in the segregated schools. He contended that the placement was unconstitutional on its face.

Lawyers representing the school board were Attys. Barnes, Joseph Johnston, Ormand Summerville and Thad Holt Jr.

Representing the State of Alabama were Atty. General John Patterson and Assistant Atty. Gen. Gordon Madison.

Alabama Laws On Placement Of Pupils Valid

U.S. Court Rules It Can Be Worked In Lawful Manner

News & Courier
Charleston S.C.
P. 1A
Sat. 5-10-58

MONTGOMERY, Ala. (AP) — A three-judge panel in federal court ruled Friday that Alabama's school placement law can be administered in a lawful manner and cannot be held invalid on its face.

The panel turned down a request on behalf of four Negro children in Birmingham for a decree holding the two-year-old law unconstitutional incapable of being lawfully administered.

In an unanimous decision, Judge Richard T, Rives of the U.S. Circuit Court of Appeals and District Court Judges Seybourn H. Lynne and H. H. Grooms of Birmingham said the law "furnished the legal machinery for the orderly administration of the public school in a constitutional manner . . ."

MAY BE KILLED

However, the panel added, the possibility exists that the law may later be held unconstitutional "in its application."

Enacted by the Legislature in 1956, the law gives local boards almost unlimited authority to say where individual pupils must attend school. But it makes no mention of race or color.

The act sets forth suggested formulae to use in determining the admittance of pupils on an individual basis. Among the factors are the background of the pupils and the effect of their admittance in a particular school on the peace and good will of the community.

PARALLEL DECISION

Similar laws in Virginia and Louisiana have been held unconstitutional, but a placement act in North Carolina brought a federal court ruling there which parallels the decision here Friday.

The panel said Alabama's law is more nearly like North Carolina's. Its formula for determining the placement of pupils differs substantially from those in Virginia and Louisiana.

The judges held that the statute could be held unconstitutional if proof were furnished that it was being used to discriminate.

In the absence of that evidence—and those who challenged the law made no such contention—the panel said "we must presume it will be so administered (in a lawful manner)."

LOCAL CONTROL

The law gives local boards the sole right to determine where any pupil attends public school. But it sets forth several factors to be used.

These include:

Available room and teaching facilities and transportation, the scholastic aptitude and relative intelligence or mental energy or ability of the pupil and the psychological qualification of the pupils for the teaching and associations involved.

Other factors include: The effect of admission of the pupils on the academic progress of other students, the possibility or threat of friction or disorder among pupils or others, the possibility of breaches of the peace or ill will or economic retaliation within the community.

Parents of the Negro students filed the suit after seeking admittance to all - white Phillips High School and Graymont Elementary School in Birmingham.

They contended those schools are closer to their homes than the Negro classrooms they have been assigned.

Integration Case Set For April 3

3 Federal Judges To Hear Suit Here

14d(1)

BY IVAN SWIFT

The Birmingham school integration case will be heard in U. S. District Court here at 10:30 a.m., April 3.

Herald P.1

The date of the Alabama School Placement Law test was set yesterday after attorneys for the Birmingham Board of Education filed an answer recounting the board's defenses.

Wed. 3-5-58

A three-judge panel will hear the case. The judges will be U. S. Circuit Judge Richard T. Rives of Montgomery, a member of the Fifth Circuit Court of Appeals, and Judges Seybourn H. Lynne and H. H. Grooms, Federal judges for the Northern District of Alabama.

Birmingham

Ala.

The answer filed by attorneys for the board yesterday points out that the four Negro children trying to get into Phillips High School and Graymont Elementary School "were in the process" of having their eligibility determined when the suit was filed.

The complaint was filed in Federal Court here Dec. 18, 1957.

The board says that "the administrative processes" that were under way at the time of the suit's filing hadn't been completed when the integration action began.

The four Negro children involved in the suit are Ruby Fredricka Shuttlesworth, Denise Armstrong, Wathaw Avery Jr. and Nathaniel Horton.

Herald P.2

The Board of Education had given them a series of tests and had sent questionnaires to parents of all children at Graymont and Phillips when the action began.

Wed. 3-5-58

The attorney for the Negro children said in the complaint, the school board hasn't given an opinion "admitting or denying" the request the Negroes made to attend white schools.

Birmingham

And he claimed the time elapsed since the board began the tests was enough for a determination.

Ala.

The school board was following state law, the School Placement Law, giving the tests and sending affected white parents the questionnaires.

The board points out in the answer filed yesterday that the integration attempt is an action against the state "and without the consent of the state," noting such action is against the eleventh amendment to the Constitution.

14d(1)

The Negroes are asking the court to declare the School Placement Law "null and void" and issue an injunction preventing the board from adhering to its provisions.

And they have asked the courts to allow "the petitioners and others similarly situated"—meaning all Negro children—"to attend the public schools of Birmingham, Ala., on a non-racial discriminating basis."

In the board's answer it states that the board "denies that the plaintiffs or any other pupils have any right to be assigned to the schools nearest their homes on the grounds of proximity alone."

The Negroes' complaint says that some of the children were going to Negro schools farther away from their homes than white schools.

Concerning the Negroes' reference to the Supreme Court school integration decision, the board says it denies "that it has applied or proposes to apply to the assignment of the minor plaintiffs (four Negro children) any standards which are not constitutionally valid and permissible."

The board says it is "under no legal or constitutional duty" to reorganize the school system based only on where pupils live.

The answer ends with the statement that the Negroes have remedies which are "fully adequate . . . in the administrative procedures before the board provided by state law."

Cabaniss and Johnston and Lange, Simpson, Robinson and Somerville are the board's law firms in the case.

Ernest D. Jackson Sr., of Jacksonville, Fla., is attorney for the Negroes.

Court to hear test here of school law

News B'ham Ala

A suit by parents of four Negro children to knock out Alabama School Placement Law will open before a three-member panel of federal judges here tomorrow.

14d(1)

It will be the first test of Alabama's law which confers on school boards the right to assign pupils to schools the board believes best.

The Negro parents filed a petition in U. S. District Court here Dec. 18 asking that the law be held unconstitutional and that a panel of federal judges hear the case since a state law is being tested.

Wed 4-2-58

FILING OF THE petition followed efforts of 13 Negro pupils to enter Phillips High School and Graymont Elementary School last September.

Judges who will hear the case are Judge Richard Rives of the Circuit Court of Appeals and District Judges Seyborn H. Lynne and H. H. Grooms.

P.23

Attempts to enter the Negro children in white schools last September were marked by the beating of the Rev. F. L. Shuttlesworth at Phillips High School.

Shuttlesworth had driven to the school with four Negro children when he was set upon by a group of white persons. He was beaten until police rescued him.

SHUTTLESWORTH'S daughter, Ruby Fredericak, 12, is one of the four petitioners in the federal petition.

Shuttlesworth is president of the Alabama Christian Movement for Human Rights, a pro-integration group formed a few days after state courts had outlawed the National Assn. for the Advancement of Colored People.

The Birmingham case is the first strong effort of Negro pupils to gain admittance to Alabama white schools under the college level.

Birmingham Negroes make up about two-fifths of the 350,000 residents within the city limits.

The petition, which also seeks to enjoin the Birmingham Board of Education from enforcing the School Placement Act, quotes a letter to parents of the Negro children from Dr. A. R. Meadows, state superintendent of education.

MEADOWS WAS quoted as urging the parents to withdraw their integration efforts. He warned that such a case might "invite the abolishment of the public schools."

In addition to the Shuttlesworth child, those included in the petition are Denise Armstrong, 8, Wathaw Avery, 14, and Hathaniel Lee Horton, 16.

They assert that they want to attend Phillips High School or Graymont Elementary School and that in each case the white school is nearer their home than the school they now attend.

U. S. judges question court's jurisdiction in school suit hearings

BY ED STRICKLAND AND LANE CARTER, News staff writers

A three-judge panel in U. S. District Court today questioned whether the Alabama School Placement law is properly before the federal court.

The court has been asked to declare the placement law unconstitititutional and to enjoin the Birmingham School Board from enforcing the provisions of the act.

Judge Richard Rives said "What is worrying me is whether this case is right for a three-judge panel to rule on its constitutionality."

14d(1)

He told attorneys representing the plaintiffs that the Alabama Supreme Court has never been asked to construe the placement act.

News P.1

"I WONDER if you shouldn't get a construction of this matter from the state courts before coming here," Judge Rives said.

The case before the court was started four months ago when four Negro children applied for admission to Phillips High School.

Thurs. 4-3-58

Under terms of the Boutwell School Placement Act the superintendent of education must study the case and decide whether such a transfer is in the best interest of the students and of the school system.

Birmingham

Supt. Frazer Banks sent the students questionnaires but has not announced his decision in the case.

Ala.

In argument today Earnest T. Johnson, one of the attorneys representing the Negro students led off argument after both sides had agreed to stipulate the facts in the case.

Johnson, from Jacksonville Fla., argued the Alabama Placement Law point by point.

UNDER questioning by Judge Rives, he agreed that some points of the law were fair and unobjectionable but that others were objectionable.

News P.43

Judge Rives then said the Alabama law has a severability clause which means that if any sections of the law are found unconstitutional that it does not effect the constitutionality of the others.

Thurs. 4-3-58

Reid Barnes, one of the attorneys for the school board, followed by saying the placement law does not have application merely to colored students but to all students.

14d(1)

He contended Supt. Frazer Banks has discretion granted under acts other than the placement law and that the constitutionality of the placement law could not properly hinge on any discretionary act of the superintendent.

Birmingham

JUDGE RIVES said "I have been thinking about that same point. I wish you would cite to me in a brief any other statutes which deal with discretionary powers of a school board."

Ala.

Barnes contended further that the case is improperly in Federal Court at this point because remedies in the state court have not been exhausted.

The court, composed of Judges H. H. Grooms, Seybourn Lynn and Rives, indicated that there would be no immediate ruling in the matter.

Earlier Judge Rives had suggested that Atty. Gen. John Patterson file an amicus burial (friend of the court) brief in the case.

Patterson and his assistant Gordon Madison, were in the case for the state since the constitutionality of a state law was in question.

In the afternoon session the court was scheduled to hear arguments from the second attorney for the plaintiff, James A. Washington of Washington, D. C. and Joseph F. Johnston, representing the school board. Other attorneys appearing for the board are Ormand Somerville and Thad Holt Jr.

Placement Law Hit, Defended

Post Herald

U. S. Court Hears Negroes' Petition

BY IVAN SWIFT

Alabama's school placement law was called "futile" and "unconstitutional" by Negro lawyers, but defended as the solution to school racial problems by City Board of Education attorneys in Federal Court here yesterday.

B'ham, Ala

Three Federal judges listened to hours of argument on the law and took the case under advisement late in the afternoon. The judges probably will rule on the law in 30 days.

The hearing was on the request of four Negro children asking Federal Court to declare the school placement law unconstitutional.

Fri 4-4-58

There were no bitter exchanges and the lawyers seldom raised their voices as they pleaded their arguments.

P. 1

Representing the four Negro children who brought the suit against Birmingham's Board of Education were James Washington Jr., of Washington, D. C., and Ernest Jackson, of Jacksonville, Fla.

Representing the Board of Education were Joseph Johnston and Thad Holt of Cabiness and Johnston, and Reid Barnes and Ormond Somerville of Lange, Simpson, Robinson and Somerville.

Fifth Circuit Court of Appeals Judge Richard T. Rives presided, with Judges Seybourn H. Lynne and H. H. Grooms sitting with him.

Jackson, arguing for the Negroes first, summed up their request as a desire to "attend schools within the closest proximity to their homes."

He said they believe they have the "right to attend a school which is not segregated."

Jackson said "the right is established by the Constitution and the petitioners are entitled to exercise that right."

He said it would be "futile" to have continued the processing the school board began for the Negro children because it was evident no decision was forthcoming.

Herald P2

Washington, the other Negro attorney, said the placement law is designed to "defy" the U. S. Supreme Court's mandate telling the states to draw up desegregation planns.

He said it is designed to preserve segregation in Alabama.

Attorney Johnston, speaking for the school board, said the Supreme Court's integration decision "never was intended as a mandate to mix the schools up."

Thurs 4-4-58

Johnston said the North Carolina placement law, which is similar to Alabama's and has been upheld by the Supreme Court, has allowed several Negro children to enter white schools.

"That is perfectly possible under the laws of Alabama as they now stand," he said.

He said the Negroes made a "tragic mistake" in bringing the case to Federal Court. He called the action "premature."

And he answered a question from the bench on the Alabama Legislature's interposition and nullification resolution by saying the resolution had nothing to do with the placement law.

Washington, professor of law at Howard University in Washington, went through the school placement law section by section and called several parts of it unconstitutional.

He said it "puts the freeze on students," holding them in the schools they now attend.

He said it was adopted to counter the effects of the Supreme Court integration decision and "the background of the whole legislation is founded in defiance."

Washington said the placement law doesn't put any time limit on pending studies of transfer applications.

"How long do they go on? Forever? A month? A year?" he asked.

Attorney Barnes countered with a statement that the Negro children never came to a scheduled testing session.

He said they were offered another chance to appear, but didn't show up.

Barnes said the Negro children should have utilized all the provisions of the placement law before they came into Federal Court with the suit.

Washington said Negroes are "trapped in the Alabama school placement law," and pointed out that Alabama has nother law on the books providing for the closing of the schools if the school board believes "friction" will occur.

He said the Alabama Legislature has been "subtle" but "this is the Virginia case all over again."

Virginia's school segregation law has been declared unconstitutional.

The judges questioned their jurisdiction in the case several times, and the Negro lawyers repeatedly argued the law is unconstitutional and the three judges do have proper jurisdiction.

They said if the judges should decide they don't have jurisdiction, the Negro children's complaint should still come before one of the judges on the plea that the law denies the children their rights.

Barnes, speaking for the board, said "there are members of the colored race who don't want to be integrated."

And he said the case shouldn't be heard as a "class" case but solely on the motion of the individual children named in the petition.

He said the Supreme Court decision does not order integration and the Birmingham Board of Education never has said its policy is to enforce segregation.

He said the school law is not a "freeze" but gives boards "full authority" to transfer pupils.

It gives them "wide discretionary powers," he sadi.

After the hearing, the Rev. Fred Shuttlesworth, whose daughter is one of the children in the case, said if the Negroes lose they will try again.

"We'll keep trying and we'll keep trying because we know we're right," he said.

Shuttlesworth said the Alabama Christian Movement for Human Rights, which he heads, is backing the effort to integrate city schools.

Three of the four children involved were in the courtroom, listening to the hearing.

The hearing room was full, but only two benches were occupied by whites. Negroes made up the balance of the spectators.

Placement Law Hit, Defended

U. S. Court Hears Negroes' Petition

BY IVAN SWIFT

Alabama's school placement law was called "futile" and "unconstitutional" by Negro lawyers, but defended as the solution to school racial problems by City Board of Education attorneys in Federal Court here yesterday.

Three Federal judges listened to hours of argument on the law and took the case under advisement late in the afternoon. The judges probably will rule on the law in 30 days.

The hearing was on the request of four Negro children asking Federal Court to declare the school placement law unconstitutional.

There were no bitter exchanges and the lawyers seldom raised their voices as they pleaded their arguments.

Representing the four Negro children who brought the suit against Birmingham's Board of Education were James Washington Jr., of Washington, D. C., and Ernest Jackson, of Jacksonville, Fla.

Representing the Board of Education were Joseph Johnston and Thad Holt of Cabiness and Johnston, and Reid Barnes and Ormond Somerville of Lange, Simpson, Robinson and Somerville.

Fifth Circuit Court of Appeals Judge Richard T. Rives presided, with Judges Seybourn H. Lynne and H. H. Grooms sitting with him.

Jackson, arguing for the Negroes first, summed up their request as a desire to "attend schools within the closest proximity to their homes."

He said they believe they have the "right to attend a school which is not segregated."

Jackson said "the right is established by the Constitution and the petitioners are entitled to exercise that right."

He said it would be "futile" to have continued the processing the school board began for the Negro children because it was evident no decision was forthcoming.

Washington, the other Negro attorney, said the placement law is designed to "defy" the U. S. Supreme Court's mandate telling the states to draw up desegregation planns.

He said it is designed to preserve segregation in Alabama.

Attorney Johnston, speaking for the school board, said the Supreme Court's integration decision "never was intended as a mandate to mix the schools up."

Johnston said the North Carolina placement law, which is similar to Alabama's and has been upheld by the Supreme Court, has allowed several Negro children to enter white schools.

"That is perfectly possible under the laws of Alabama as they now stand," he said.

He said the Negroes made a "tragic mistake" in bringing the case to Federal Court. He called the action "premature."

And he answered a question from the bench on the Alabama Legislature's interposition and nullification resolution by saying the resolution had nothing to do with the placement law.

Washington, professor of law at Howard University in Washington, went through the school placement law section by section and called several parts of it unconstitutional.

He said it "puts the freeze on students," holding them in the schools they now attend.

He said it was adopted to counter the effects of the Supreme Court integration decision and "the background of the whole legislation is founded in defiance."

Washington said the placement law doesn't put any time limit on pending studies of transfer applications.

"How long do they go on? Forever? A month? A year?" he asked.

Attorney Barnes countered with a statement that the Negro children never came to a scheduled testing session.

He said they were offered another chance to appear, but didn't show up.

Barnes said the Negro children should have utilized all the provisions of the placement law before they came into Federal Court with the suit.

Washington said Negroes are "trapped in the Alabama school placement law," and pointed out that Alabama has nother law on the books providing for the closing of the schools if the school board believes "friction" will occur.

He said the Alabama Legislature has been "subtle" but "this is the Virginia case all over again."

Virginia's school segregation law has been declared unconstitutional.

The judges questioned their jurisdiction in the case several times, and the Negro lawyers repeatedly argued the law is unconstitutional and the three judges do have proper jurisdiction.

They said if the judges should decide they don't have jurisdiction, the Negro children's complaint should still come before one of the judges on the plea that the law denies the children their rights.

Barnes, speaking for the board, said "there are members of the colored race who don't want to be integrated."

And he said the case shouldn't be heard as a "class" case but solely on the motion of the individual children named in the petition.

He said the Supreme Court decision does not order integration and the Birmingham Board of Education never has said its policy is to enforce segregation.

He said the school law is not a "freeze" but gives boards "full authority" to transfer pupils.

It gives them "wide discretionary powers," he sadi.

After the hearing, the Rev. Fred Shuttlesworth, whose daughter is one of the children in the case, said if the Negroes lose they will try again.

"We'll keep trying and we'll keep trying because we know we're right," he said.

Shuttlesworth said the Alabama Christian Movement for Human Rights, which he heads, is backing the effort to integrate city schools.

Three of the four children involved were in the courtroom, listening to the hearing.

The hearing room was full, but only two benches were occupied by whites. Negroes made up the balance of the spectators.

Post Herald

Fri. 4-4-58

Birmingham

Ala

Post Herald

P. 2

Friday 4-4-58

Birmingham

Alabama

Ala

14d(1) 1958

ALABAMA

NOVEMBER

ALABAMA PLACEMENT LAW
VALID
SUPREME COURT DECISION

Segregationists Hail Decision

Patterson Hopes Action 'Reflects Trend'

Times-Picayune

ATLANTA (UPI) — Segregation leaders in the South Monday hailed a U. S. supreme court ruling upholding Alabama's pupil placement law "on its face" as a victory for states' rights.

New Orleans, La.

In a brief order, the high court which held that the law is valid—provided it is properly administered and not used merely to keep Negroes out of the public schools because of their race.

Although Alabama's governor-elect, John Patterson, expressed satisfaction at the court's ruling, he warned of possible future trouble from "race agitators."

Patterson, present Alabama attorney-general, said, "I was pleased to hear they held it constitutional and upheld our federal court here in Alabama."

'WITHOUT INTERFERENCE'

"I hope the decision of the U. S. supreme court reflects a trend toward letting us handle our own domestic affairs here without outside interference, which is the only way things can be handled without chaos and disorder," Patterson added.

Tues. 11-25-58

Another staunch segregationist, Georgia Gov. Marvin Griffin, declared after the decision: "That is a delightful surprise and indicates that the control and operation of the schools of a state should be left to a state. It is the first sensible decision in this field in five years."

P. 9

However, Georgia's Lieutenant Gov. Ernest Vandiver, who will replace Griffin as governor in January, said the decision "does not hold any significance for Georgia or any other state dedicated to maintaining segregated schools."

'WILL FALL'

Vandiver said, "this ruling has held only that the Alabama assignment law is 'valid on its face,' which means that when the law is applied to preserve segregation, it will fall at the hands of the members of the same court who today upheld it."

North Carolina's legal staff, charged with defending the state's pupil assignment law, also was encouraged by the tribunal's ruling.

Asst. Atty. Gen. Ralph Moody, the staff's segregation expert, said the outlook was "hopeful" for two cases which are now pending in federal courts—the latest rounds in the legal battle over integration of North Carolina schools.

Gov. Leroy Collins of Florida called the decisions "encouraging" and said he had been confident all along that such laws would be sustained.

"We can at least be assured that the court recognized a place for reason and sound judgment in the administration of our law," he stated.

FLORIDIANS HOPEFUL

Other Florida officials said the supreme court's ruling was "heartening," but does not mean any state can use it to maintain complete segregation.

Florida has a similar law, but it has not yet been tested in the courts, and atty. gen. Richard Ervin has said it will be struck down unless some integration is permitted under it.

However, the decision was greeted coolly by Rev. F. L. Shuttlesworth, the Birmingham, Ala., integration leader.

Shuttlesworth said this "isn't the end of the case . . . of course, we will have to consult our attorneys on the legal aspects of the ruling. But the case isn't closed by any means."

The Negro leader and the other parents of the four Negro children involved initiated the suit which was over-ruled by a three-judge federal panel before being carried to the supreme court.

'ISN'T END OF CASE'

Shuttlesworth said: "As long as any parents want to request adminision to white schools near their homes, we are going to prepare petitions for them. I am sure this isn't the end of the case."

He asserted that members of his race never intended "to start anything, particularly if it is right, and stop before the conclusion of the whole matter."

"If the court can rule that it can be applied without discrimination," Shuttlesworth said, "then it is up to the Birmingham school board to apply it without discrimination. We have no intention of backing away from this struggle."

14d(1) 1958

ALABAMA

ALABAMA PLACEMENT LAW

Ahasuerus' Way; Out With The Boys

By J. Fred Thornton

14d(1) Ala

Advertiser

Montgomery Ala

IS EARL WARREN as smart as Ahasuerus? Some people think so. They see in the Supreme Court's decision on Alabama's pupil placement law a way out of the school crisis. The court held the law to be constitutional on its face, while warning that it might be knocked out later if not applied to suit the court. The law makes no mention of race, but we know it is designed to block compulsory race-mixing in the schools.

THORNTON

Some see this as a sign that Warren, Black et als are taking a lesson from King Ahasuerus in beating around the bush, getting from under an unwise and unpopular decision by indirection. I am not at all sure. I doubt if Warren has as much sense as Ahasuerus, and even if he has Ahasuerus did not have the NAACP on his neck. Then, too, it is likely that "token" integration will be needed to appease the Supreme Court in the long run. I have seen precious little indication that Alabama is ready for even that.

12-14-58

Ahasuerus was king of ancient Persia, a central figure in the Biblical Book of Esther. An allied people, the Medes, teamed up with the Persians and the two are commonly linked together in the narrative. A Persian king was an absolute monarch in most ways with no checks. But his power was limited in one respect. The Persian constitution provided that no decree of the king could be revoked, not even by the king who issued it. There are repeated references in the Scriptures to this "law of the Medes and Persians, which altereth not." To this day we sometimes hear a man refer to something as being fixed and unalterable as "the law of the Medes and Persians." It was really that way at first, but they learned to get around it in time, as I will show.

Darius Was Dumb

P. 4-B

WE GET A good look at the law in its original form, before they learned to nullify it, in the familiar story of King Darius throwing Daniel into the lions' den. Daniel's enemies maneuvered him into violating a decree of the king, for which the penalty was to be fed to the lions. Darius realized, too late, that Daniel had been framed; we are told that the king "labored till the going down of the sun to deliver him." But the prophet's foes reminded Darius: "Know, O king, that the law of the Medes and Persians is, That no decree nor statute which the king establisheth may be changed."

Darius saw that his hands were tied. If he had been real smart he might have had the lions' teeth knocked out and their claws trimmed, but he did not think of that. He reluctantly had the sentence carried out, and only an angel of the Lord saved Daniel.

By the time of King Ahasuerus, a Persian ruler had learned how to reverse himself without seeming to do so. Like many other Oriental monarchs, Ahasuerus delighted in wine and women and left business of state in the hands of a prime minister. The post was held by the wicked Haman, a vindictive enemy of the Jews. He won the consent of the king to a general massacre of all the Jews throughout the vast Persian Empire. A royal order to that effect was sent to the governors of the provinces, fixing a day for the slaughter.

Queen Esther, a beautiful and talented Jewess, saved her people. She risked her life by going to the king in his "inner court" without being called. King Ahasuerus thought that women were wonderful in their place, but he did not believe in having them in his hair all the time. So a court rule provided that anyone, even the queen, who intruded upon the king's privacy should be punished with death unless the king waived the penalty. I surmise that many a modern husband would like to have an "inner court" of his own, too, but we cannot all live like Persian kings.

Palace Coup Pays Off

LUCKILY, QUEEN ESTHER found Ahasuerus in a good humor, no hangover or other impediment. Her dramatic appeal for her people was granted. First, the wicked Haman was hanged on a gallows 50 cubits high, which he had prepared for Mordecai, the worthy uncle of Esther; next, Mordecai was made prime minister in Haman's place.

The king likewise was in sympathy with Esther's plea to save her innocent people from slaughter. The question was, how to do it? The royal order commanding the massacre of all Jews in Persia had gone forth and could not be revoked. Ahasuerus was faced with the same problem that stumped Darius, but he was equal to the occasion. He did not think for one moment of violating the consitution by recalling his order, but he found a way to nullify it. The first decree—equivalent to the Supreme Court's 1954 decision—was not repealed, but a second royal order was sent out, giving the Jews the right to defend themselves.

When this second order came into the hands of the governors of the provinces, they saw which way the cat had jumped—that the king had changed his mind and was taking this way of letting them know it. When the appointed day arrived, it is recorded, "all the rulers of the provinces, and the lieutenants, and the deputies, and officers of the king, helped the Jews." The enemies of the Jews, some of them at any rate, did not get wise to the switched signals and tried to carry out the original order. But the Jews, with the enforcement machinery on their side, prevailed over their enemies and smote them with a great slaughter.

The story of Ahasuerus, who flourished around 500 B.C., shows that getting around an unwise law or decision without formally repealing it has been going on a long time. I hope the Supreme Court will have enough sense to follow suit but I am still highly dubious.

'Benefit Of The Doubt'

14d(1)

Montgomery Advertiser

Montgomery Ala

THE Alabama Placement Law, which has been held "facially" constitutional by the U.S. Supreme Court is not, as previously noted here, a perfect bulwark against enforced race-mixing.

Some Southerners seem still to believe the Supreme Court reversed its integration rulings of 1954 and 1955 when it upheld the validation of the act.

Of course, the court did not. It simply upheld the District Court ruling that the law is valid on its face because it lists perfectly legitimate assignment criteria for placing students in their respective schools. The law does not mention race as one of these criteria, but the Placement Law was frankly proposed as a way of maintaining segregation.

12-4-58

Neither the District Court nor the Supreme Court was fooled. The District Court found that the law was all right as written but warned that it may later prove unconstitutional in application. The Birmingham Negroes who challenged the act did not prove the law had been used unconstitutionally.

P. 4A

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PROBABLY no extra-judicial institution knows what the Supreme Court is thinking at a given time better than Harvard Law School. And Harvard Prof. Arthur E. Sutherland of the school has written, for *The New York Herald Tribune*, an interpretation of the court's Placement Law ruling which is probably as accurate as such speculation can be.

Prof. Sutherland goes back to 1886 for his leading case. In that year the Supreme Court ruled that a San Francisco license law was unconstitutional in application though, presumably, constitutional on its face.

The law prohibited the maintenance

of a laundry in a wooden building without a license. It was, on its face, a fire prevention statute and a reasonable one. But a Chinese launderer named Yick Wo was able to show that 200 Chinese applicants for licenses had been turned down while all applicants but one by non-Chinese had been granted.

The Supreme Court agreed that the law, in application though not on its face, was afoul of the 14th Amendment and Yick Wo won his case.

★

IN 1935, Prof. Sutherland continues, the Supreme Court applied the Yick Wo principle to an Alabama jury law which "described admirable non-racial qualities for selecting a jury panel, but state officials actually selected no Negro jurors whatever." The Supreme Court ruled that this systematic exclusion of Negroes rendered the conviction of a Negro, by a jury so selected, unconstitutional.

Thus, says Sutherland:

> The Alabama school law decision of Nov. 24 leaves the officials of that state in a dilemma. If they put all Negroes in one set of schools and all white children in another, giving as their reason some non-racial educational criteria, their racial actions will speak louder than any statutory words, as happened in the case of the laundrymen and the jurors.
>
> But if the Alabama schoolmen apply their law literally as it is written, they will inevitably find some Negro children whose scholastic aptitude and other traits are such as to place them on a par with white children and in that case segregated schools in Alabama are on the way to their end by their own administrators. But the discriminatory uses of the Alabama statute have not been demonstrated in court; for the time being Alabama has the benefit of the doubt.

★

THE Placement Law, as we have remarked on many occasions, is a cleverly written act which throws ck at the Supreme Court its voguish ological catch-phrases. That the s a good instrument for buying as already been seen. But outhern legal authorities have warned that if the act is to survive future tests, token race-mixing under it will be essential.

Alabama, however, is opposed to *all* mixing in the public schools. This being true, the Placement Law is not the ultimate weapon, but a tactical one. The legislature must provide other measures to back it up. This is not good news, but it would be a serious mistake to assume the Placement Law victory was final and absolute. As Prof. Sutherland concludes:

"This judgment will not permanently permit Alabama, or any other state, to segregate Negro students on racial grounds. But it will give such states a little more time to carry out their programs of delay."

Court Upholds Alabama on Pupil Placing

1480

Philadelphia Inquirer

WASHINGTON, Nov. 24 (UPI). —The Supreme Court today upheld the constitutionality of Alabama's pupil placement law despite arguments that it was designed solely to thwart the court's 1954 school integration order.

Philadelphia Pa.

In a brief order, the high court affirmed the decision last May of a three-judge Federal court which held that the law is valid provided it is properly administrated and not used merely to keep Negroes out of the public schools because of their race.

The lower court said the State law on its face sets up machinery for administering schools "in a constitutional manner by the admission of qualified pupils upon a basis of individual merit without regard to their race or color."

[illegible] 25-58

P 2

The opinion said the record did not show that the four Negro children, who challenged the law, were excluded from the white schools of their choice on the basis of anything but a proper test.

But the lower court emphasized that the statute could be declared unconstitutional in some future lawsuit if it was administered in such a way that race wa sthe primary factor in assigning pupils to various schools.

Otherwise law seen as illegal

Afro-American

By LOUIS LAUTIER

P 20

WASHINGTON, D.C. (NNPA) —The Supreme Court Monday affirmed the ruling of a three-judge Federal District Court that the Alabama Pupil Placement law is not unconstitutional on its face.

1480

In a brief order, the court granted the motion of the Birmingham Board of Education to affirm the decision of the lower court, but restricted its affirmance to the limited grounds on which the District Court rested its decision.

The decision of the three-judge court, handed down last May 9, denied the application of four colored children for an injunction to restrain enforcement of the Alabama Pupil Placement law.

Baltimore, Md.

THE DISTRICT Court held that pupils asserting a denial of their constitutional rights under such a law are compelled to wait until the law is applied in accordance with the state's segregation policy before seeking relief in a Federal court.

Attorneys for the four colored children contended that the law in question was unconstitutional on its face in view of Alabama's record of racial discrimination both prior and subsequent to the decision of May 24, 1954, in the school segregation cases.

They maintained that pupils should not have to wait for an application of such a law in accordance with the state's segregation policy before seeking relief in a Federal court.

The three - judge court, in holding that the law was not unconstitutional on its face, said:

Dd 12-6-58

"**IT IS POSSIBLE** for the act to be applied so as to admit qualified colored pupils to unsegregated schools. On oral argument, counsel for both sides expressed their understanding that the North Carolina Pupil Enrollment Act was actually being so applied. We cannot say, in advance of its application, that the Alabama law will not be properly and constitutionally administered."

Four colored pupils, including Miss Ruby F. Shuttlesworth, and their parents, including the Rev. F. L. Shuttlesworth, Baptist minister, brought suit in the Federal District Court at Birmingham to test the constitutionality of the placement law and to enjoin the Birmingham Board of Education from enforcing it.

On Aug. 21, 1957, two weeks before the opening of the 1957-58 school term, the parents of the children filed individual petitions with the school board requesting reorganization of the schools so as to admit their children to the schools closest to their homes on an unsegregated basis.

The board referred the petitions to the superintendent of schools, who requested the parents to present their children on Sept. 16, 1957, to the Guidance Center at Thomas School to take tests.

* * *

MEANTIME, on Aug. 28, 1957, the State Superintendent of Education wrote each of the parents, advising them to support the local school board and to weigh carefully that:

1. More colored persons finished high school in Alabama than in any other state, irrespective of population.
2. Colored elementary teachers received higher average yearly salaries than the average of the state because of higher training. Colored teachers in Alabama are better educated than the average of the nation.
3. A higher percentage of colored children of school age were enrolled in school last year than the state average.
4. Under a 1956 amendment to the Alabama constitution, public schools can be abolished in the state and the buildings rented or given to individuals to operate private schools. If colored Alabamans failed to cooperate with their local school boards, they will, in effect, invite the abolition of public schools.

PRIVATE SCHOOL PLAN REPORTED

Alabama Corporation Aim to Bar Mixing

By JACK STILLMAN

BIRMINGHAM, Ala. (AP)—Formation of a private school corporation aimed at circumventing the supreme court's ruling against racially segregated schools has been announced in Alabama.

MacDonald Gallion, Democratic nominee for attorney general in Alabama, who is certain to win election in November, announced the move.

Gallion's move was accepted as an effort to get the private school system organized "by private citizens" before he takes office next January. He said names of other organizers will be announced "at the proper time."

Although Gallion faces opposition by Republican Louis Salmon, a Huntsville attorney, in the November general election, the Democratic candidate is virtually assured of victory.

Gallion, 45-year-old Montgomery attorney, active as a state investigator and prosecuting attorney in the Phenix City, Ala., vice cleanup in 1954-55, stressed that no public officials would be involved in the corporation.

"I am acting as a private attorney and the formation of this organization does not mean that I feel that Alabama's freedom of choice and placement laws are unconstitutional . . ." Gallion's statement declared.

He referred to Alabama's school placement law which gives local school officials virtual control of assigning pupils.

The placement law was upheld by a U.S. district court three-judge panel, which ruled that it is not unconstitutional on its face.

The decision has been appealed to the U.S. supreme court by a group of Negro parents seeking to enroll their children in Brimingham white schools.

The statement said the new corporation will be directed by a board of trustees appointed from each congressional district in the state.

"The members will be recognized as outstanding business and finance men, with proven records of administrative know-how and the practical business experience," the statement said.

The plan calls for an advisory committee to be established in each county and city school system.

Various other committees on finance, school sites, educational programs, teacher employment and similar problems are to be named.

Gallion's statement said a full-time educator and administrator will be employed by the group, and an endowment fund will be started at the earliest possible time.

"It is hoped that its organization and work can off-set the tragic surprise and bewilderment that hit Arkansas and Virginia when their schools were suddenly shut down," the statement said.

Press Register
P. 7
Mobile, Ala.
Mon. 10-13-58

Hanna says school plan will be ready

Alabama is going to have a private school corporation that the Supreme Court can't break, declares Walter J. Hanna.

The Birmingham business man and former commander of the Alabama National Guard has been named to head such a corporation.

"WHERE VIRGINIA and Arkansas were not ready, Alabama will be," said Hanna.

"When Dictator Earl Warren and his little tin gods who call themselves the Supreme Court tell Alabama to integrate, we'll be ready to swing into action," he said.

He added that if Arkansas and Virginia had put as much preparation into their organizations, they would have stood up better under fire.

The group expects to enter its application for a charter as a non-profit organization this week he said.

Hanna, who worked with Atty. Gen.-Nominee McDonald Gallion in designing the organizational structure, declined to elaborate on Gallion's comment that an endowment fund would be started soon.

"We're going to be properly financed and prepared," he promised.

THE NEW corporation, to be called the Alabama Education Fund Foundation, will have a trustee from each congressional district and its organization of private citizens will extend into each school district, he said.

He said the organization would consist entirely of business and professional persons, with no politicians, representatives of city or county governments or anyone presently connected with or paid by state funds.

Hanna said the new organization has no connection with any existing group, but also has no quarrel with the existing school system.

"We're just going to assure every student in the state that he can have the uniterrupted school term he is entitled to," he said.

Commenting on State Supt. of Education Austin Meadows' don't-rock-the-boat warning, Hanna declared "The boat's already sunk."

"Anyone with any grain of common sense knows the Supreme Court isn't going to give Alabama a break."

News
P. 1
Birmingham, Ala.
Mon. 10-13-58

gressional district, and an advisory board of trustees representing each county and city school system.

The incoming attorney general said the non-profit organization "will utilize some of the best educational and business talents in the state to commence the making of surveys and plans so that if and when a public school is closed down in Alabama, a prepared organization will be ready on a standby basis to aid our school children."

GALLION SAID committees on finance, school sites, educational programs, teacher employment and the like will map definite plans in advance.

"If properly supported by the public," he said, "a full-time experienced educator and administrator will be employed."

He said an endowment fund will be started "at the earliest possible time."

GALLION HAS fought along with Gov.-Nominate John Patterson to uphold Alabama's freedom of choice laws and pupil placement plan.

Attorneys for the Birmingham school board won the first round of a fight in which a group of Negro parents sought to knock out the placement law as unconstitutional.

A three-judge panel of the U. S. District Court ruled that the law is "not unconstitutional on its face."

The ruling has been appealed to the U. S. Supreme Court.

News
P. 4
Fri 10-10-58
Birmingham, Ala.

Meadows warns against junking public schools

MONTGOMERY, Ala., Oct. 10—State School Superintendent Austin R. Meadows warns against junking the state's public school system in favor of a private school plan, such as proposed by Atty. Gen. Nominate MacDonald Gallion.

Meadows said that he doubted a private school plan will be the best solution of Alabama's school segregation problems.

"I don't think it's practical," said Meadows of the private corporation announced by Gallion. "I don't see any practical way to operate a duplicate system for the 780,000 students in Alabama."

THE SUPERINTENDENT, while expressing doubts, said, however, that he will go along "with anything set up as a private school" in order to prevent integration.

"My contention is that if you set up private segregated schools, Meadows said, "somebody will set up integrated private schools and you will have more integration with private schools."

Meadows said he doesn't think it will be possible to establish tax free private schools and get around the Supreme Court's 1954 decision outlawing segregation in public schools.

THE SCHOOL head added that he didn't see how it will be practical to get teachers and other facilities needed for private schools "when we haven't been able to build enough public schools."

Meadows said Gallion "might know what he's doing." I don't. My recommendation is that we not rock the boat now and find out from the other states what they're doing and then see what we can do in Alabama.

"We're getting along fine and peaceful," he added.

MEADOWS SAID HE thinks we can maintain public segregated schools. He conceded there might be a few, temporary "breakover cases."

The school head, whose term expires in January, said "I don't see that this (Gallion's plan) is the answer. If it is the answer, it's OK. If it'll work I wish him luck with it. I certainly have no opposition."

In Birmingham Sen. Albert Boutwell, Democratic nominee for lieutenant governor, said he would cooperate in any plan to "minimize the effects of the Supreme Court decisions."

Boutwell served as chairman of an interim legislative committee which wrote the state's "freedom of choice" legislation.

Boutwell said he thinks Alabama's present school laws are constitutional.

News
P. 4
Fri, 10-10-58
Birmingham
Ala.

Meadows Doubts Gallion School Plan Will Work

The head of Alabama's public school system said Thursday he doubted the practicality of a private school proposal as a means of preventing racially integrated classes.

Advertiser

Dr. Austin R. Meadows, state superintendent of education, made the remark in regard to a private school corporation plan announced Thursday by MacDonald Gallion, Democratic nominee for attorney general.

MEADOWS

"I don't think it's practical," said Meadows. "I don't see any practical way to operate that sets up a duplicated system (public and private) for the 780,000 students in Alabama."

Montgomery

Ala

Meadows emphasized that he was "certainly not in opposition" to the proposal, but would cooperate with "anything set up as a private school" in order to prevent integration.

But while not opposed to private schools to supplant the public institutions, Meadows said: "I'm not recommending it."

[illegible] '58

P. 2A

WON'T STOP INTEGRATION

"My contention is that if you set up private segregated schools, somebody will set up integrated private schools," he said. "And you will have more integration with private schools." The school head said also it would not be possible to set up tax-free private schools.

Meadows said he did not "see how it will be practical to get teachers' and other facilities, "when we (the state) haven't been able to build enough public schools."

"He may know what he's doing; I don't," Meadows said of Gallion's plan.

"My recommendation is that we not rock the boat now and find out from other states what they're doing and then see what to do.

"We're getting along fine and peaceful."

CITES GOOD RELATIONS

Meadows said he was "proud of the fact that we have very harmonious race relationships in schools in Alabama," and he said "we're going on four years since the Supreme Court ruling without any serious trouble."

"I think we can maintain public segregated schools," he said. "I don't say there wouldn't be some temporary, few individual break-over cases."

Meadows said of the private school plan, "I don't see that that's the answer; if it is the answer, it's okay." He concluded, "If it'll work. I wish him luck with it. I certainly have no opposition."

State Sen. Albert Boutwell of Birmingham, Democratic nominee for lieutenant governor, said he would "be cooperative in any plan to minimize the effects of the Supreme Court decisions" on integration.

DECLINES COMMENT

But Boutwell, mastermind of most of Alabama's segregation laws, said he was not in a position to comment on the plan as he did not know enough details of the proposal.

"However, I think that our present law is constitutional," he said, referring to the pupil placement and freedom of choice laws.

Boutwell said he had known nothing of Gallion's plan until after the announcement in Birmingham Thursday.

Gov. James E. Folsom and Gov.-Nominate John Patterson were not available for comment Thursday night.

MacDonald Gallion leads—

Alabamians set up private school plan

BY EDWIN STRICKLAND, News staff writer

A corporation of private citizens is being formed in Alabama for the purpose of making plans for providing educational opportunities for children in the state in the event of a close-down of schools.

The formation of such a corporation was announced by McDonald Gallion, state attorney general nominee, who said he is acting as a private attorney in the setting up of the corporate machinery.

News

Gallion said the formation of this corporation does not mean he feels that Alabama's freedom of choice and school placement laws are unconstitutional.

P. 1

"On the contrary," he said. "I think that the U. S. Supreme Court should uphold them. But tragic events in Arkansas and Virginia have emphasized that we in Alabama should be prepared in any event to prevent the interruption of our school children's education."

Aug 10 '58

GALLION SAID no public officials are involved in this corporation, and that it is strictly a private organization.

Birmingham, Ala.

Gallion, who served as chief assistant to Atty. Gen. John Patterson before resigning this year to make a successful race for the job, has spent much time studying problems arising from the U. S. Supreme Court's attempt to force racial integration.

As assistant attorney general, Gallion studied Little Rock's problems first hand. He also has become familiar with similar problems in Texas and Louisiana.

Gallion said he had just returned this week from Virginia where the forced integration threat is very real.

THE NEW ORGANIATION, Gallion said, was formed in the hope that its organization and work "can offset the tragic surprise and bewilderment that hit Arkansas and Virginia when their schools were suddenly shut down."

The corporation, on which papers will be filed in a few days, will have a board of trustees representing each con-

Private Plan For Schools Gains Force

Advertiser

By THE ASSOCIATED PRESS

A movement to set up a private school corporation as a eans of preserving segregated hools appeared to be picking up am in Alabama this weekend education leaders urged a go policy.

Montgomery

Walter J. (Crack) Hanna, Bir- ingham businessman, was med Saturday as the man who ll serve as chairman of the board of trustees of the proposed private school corporation.

HANNA

Hanna, who was adjutant general under former Gov. Gordon Persons, commanded national Guard troops during he vice cleanup at Phenix City our years ago.

CHOOL PLAN

Sun. 10-12-58

MacDonald Gallion, incoming ttorney general, announced the rivate school plan Thursday. He aid papers of incorporation would e filed in a few days.

Meanwhile, Dr. Austin R. Mead- ows, state school superintendent, dvised against hasty action on he private school plan. He said he doubts that it would prove practical.

P. 1

Meadows said he felt Alabama hould wait and see what other tates do in the segregation fight hen decide what will be the best course.

"Don't rock the boat," he suggested, pointing out that Alabama isn't faced with an immediate howdown on integration.

CLOSE FRIEND

Gallion, a Montgomery attor- ey and a close friend of Gov.- minate John Patterson, was believed to be speaking the sentiments of the next state administration when he announced the private school plan.

Gallion was a special investigator assigned to Phenix City during the vice cleanup touched off by the slaying of the late Albert L. Patterson, father of Alabama's attorney general and the Democratic nominee for governor.

The private school proposa was announced the same day the Birmingham School Board asked the U.S. Supreme Court to throw out an appeal testing Alabama's school placement law.

Advertiser

Gallion said he had no doubt about the constitutionality of the placement act but said the private school plan would give Alabama something to fall back on if other defenses against school integration fail.

Sun. 10-12-58

FORCED INTEGRATION

Patterson couldn't be reached for comment. However, he has previously advocated passage of a law similar to that of Virginia which would automatically close any school faced with forced integration.

A three-judge U.S. District Court panel upheld the constitutionality of the placement law last May 10. They said it was valid on its face but could be administered in such a way as to violate the constitution.

In a statement issued after he announced Hanna would head the private school group, Gallion said he had no intention to "rock the boat" and added:

"If anyone thinks we can stick our heads in the sand and our troubles will go away, he is simply whistling in the dark."

OTHER MEMBERS

Gallion said the corporation will be known as "The Alabama Education Fund Foundation" and said other members of the board will be announced at a later date.

Hanna to head state's private school system

Birmingham News

MOBILE, Ala., Oct. 11—(AP)—Gen. Walter J. (Crack) Hanna was announced Saturday as the head of a private corporation being formed in Alabama that could result in abolition of the state's public school system if it is faced with racial integration threats.

The state's Democratic nominee for attorney general, MacDonald Gallion, said he had been authorized to announce that Hanna, a Birmingham businessman, will be the chairman of the board of trustees.

Sun. 10-12-58

Hanna served as adjutant general during the administration of former Gov. Gordon Persons. In that capacity he headed a National Guard cleanup of vice at Phenix City in 1954 following the fatal shooting of Albert L. Patterson, the Democratic nominee for attorney general. Patterson was shot the night of June 18 that year outside his office in Phenix City.

A1

Hanna worked closely with Gallion in the cleanup drive—a job Patterson had pledged to do.

Patterson's son, John Patterson, was subsequently given the nomination and is now Democratic governor-nominee.

GALLION, whose election in November to succeed John Patterson as attorney general is virtually assured, also defended the private corporation today.

Gallion had announced Thursday that the corporation was being formed and said an endowment fund will be started as soon as possible. He emphasized that the corporation is to be run by private individuals, and no public officials would have a voice in its operation.

The state school superintendent, Austin R. Meadows, expressed doubt that a private school plan will be the best solution of Alabama's school segregation problems.

'Outstanding' leadership

GALLION, 45-year-old Montgomery attorney, said in his statement today that "certainly there is no intent to rock the boat but if anyone thinks we can stick our heads in the sand and our troubles will go away he is simply whistling in the dark."

Birmingham News Sun. 10-12-58

Gallion, in Mobile in connection with a convention of the Alabama Real Estate Assn. at nearby Point Clear, said the corporation would be called "The Alabama Education Fund Foundation." He said that other members of the board will be announced later and that they "will represent outstanding leadership in the state."

His statement continued:

"There has been apparently some misunderstanding regarding the purposes of this organization. It is strictly a private citizens group having no connection with the present state administration or the forthcoming state administration.

'Whistling in the dark'

"IT IS SIMPLY a means of getting together some of the best brains and talent in the state to study the situation and make whatever plans their wisdom dictates.

"While there is no connection with state government, the foundation certainly will cooperate harmoniously with any program that is of benefit to the school children of the state.

Must make plans

"THERE IS NOT a man connected with this organization who would not like to have a good strong public school system such as we have today. They are hopeful that our freedom of choice and placement laws will hold up.

"But it is their considered judgment that this is no time to stand idly by without making plans with thought and to take care of any trend of events.

"If the eforts and talents of the foundation are not needed in the present school integration crisis, then that is just wonderful and the foundation can lend its efforts toward helping our present school system in whatever way it can.

"If the foundation is needed, it will be ready."

HANNA, WHO IS in line to command the 31st National Guard Division, operates a steel plant in Birmingham. He holds a federally recognized rank of major general.

The 58-year-old general headed a combat unit in the South Pacific in World War II.

Private School Plan Readies State For Crisis, Hanna Says

Advertiser

BIRMINGHAM (AP) — Walter J. Hanna said Sunday a private school corporation will be ready to go into action if racial integration threatens state public schools.

Hanna was announced Saturday as chairman of the Board of Trustees of the Corporation, for which legal papers will be filed in a few days.

P 2A

Montgomery

Hanna said the corporation will have an organization extending into local school districts and with trustees from each congressional district.

"Where Virginia and Arkansas were not ready, Alabama will be," Hanna said.

Mon. 10-13-58

"When dictator Earl Warren and his little tin gods who call themselves the Supreme Court tell Alabama to integrate we'll be ready to swing into action," he added.

"We're going to form a private school corporation that neither the Supreme Court nor anybody can break, and I say that flatly."

Hanna said there will be no politicians, representatives of county or city government or anyone connected with state funds serving in the group.

The non-profit organization will be known as the Alabama Education Fund Foundation.

Hanna said his group will not fight with present school organizations.

"We're simply going to assure every student in the state that he can have the uninterrupted school term he is entitled to," Hanna said. "We're going to be properly financed and prepared."

State Supt. of Education Aus R. Meadows had warned agair hasty abolition of the state p lic school system and adopt of substitutes.

Hanna is a retired major eral and former commander of the Alabama National guard. He led the military phase of the Phenix City clean-up, and is a prominent Birmingham businessman.

Private School Plan Set Up For Alabama

Gallion Says Aim To Aid In Closings

Montgomery Advertiser
Montgomery Ala.

BIRMINGHAM (AP) — Formation of a private school corporation aimed at circumventing the Supreme Court's ruling against racially segregated schools was announced in Alabama Thursday.

MacDonald Gallion, Democratic nominee for attorney general in Alabama, announced the move.

Gallion's move was accepted as an effort to get the private school system organized "by private citizens" before he takes office next January.

GALLION

Although Gallion faces opposition by Republican Louis Salmon, a Huntsville attorney, in the November general election, the Democratic candidate is virtually assured of victory.

Ala. 10-10-58

Gallion, 45-year-old Montgomery attorney, active as a state investigator and prosecuting attorney in the Phenix City vice clean-up in 1954-55, stressed that no public officials would be involved in the corporation.

7-1

"I am acting as a private attorney and the formation of this organization does not mean that I feel that Alabama's freedom of choice and placement laws are unconstitutional. . ." Gallion's statement declared.

He referred to Alabama's school placement law which gives local school officials virtual control of assigning pupils.

The placement law was upheld by a U.S. District Court three-judge panel, which ruled that it is not unconstitutional on its face.

The decision has been appealed to the U.S. Surpeme Court by a group of Negro parents, seeking to enroll their children in Birmingham white schools.

Gallion's statement said:

"A corporation consisting of private citizens has been formed in Alabama for the general purpose of making plans for a continuity of the education of our school children in the event of the closing down of a public school . . ."

Gallion referred to events in Little Rock, Ark., and Virginia, where the states have closed schools rather than bow to Supreme Court-ordered racial integration.

Gallion said, "We in Alabama should be prepared in any event to prevent the interruption of our school children's education."

The statement said the new corporation will be directed by a board of trustees appointed from each congressional distrct in the state.

"The members will be recognized as outstanding business and finance men, with proven records of administrative know-how and the practical business experience," the statement said.

The plan calls for an advisory committee to be established in each county and city school system.

Various other committees on finance, school sites, educational programs, teacher employment and similar problems are to be named.

Gallion's statement said a full-time educator and administrator will be employed by the group, and an endowment fund will be started at the earliest possible time.

"It is hoped that its organization and work can offset the tragic surprise and bewilderment that hit Arkansas and Virginia when their schools were suddenly shut down," the statement said.

Gallion said he is completing drafting of necessary legal papers and expects to file them in court within a few days.

He said the chairman of the corporation and members of the board of trustees will be announced "at the proper time."

Gallion declined to answer further questions about the corporation.

"I am letting this statement stand for the present," he said.

14d(1) 1958 ALABAMA THE BATTLE PLAN

The "Battle" Plan

14d(1) Ala

Daily Home P2

We were impressed by the "Battle plan" which gubernatorial candidate Laurie Battle has advanced for maintaining racial segregation in Alabama against legal attacks certain to be brought upon it in federal courts.

Talladega, Ala

The Birmingham candidate said that he would, if elected, call first for emergency legislation which would do these three things:

Tues 2-4-58

1. Give the governor authority to close any school where federal forces might be sent, cutting off state funds and reopening the school as a private institution.

14d(1)

2. Require approval in a statewide election before any school could be integrated.

Ala-

3. Place upon the governor, and thus the state as a whole, the responsiblity of protecting voter registrars and other election officials from unfair prosecution by the federal government for upholding their duties under Alabama law.

There are other phases to the plan, but these seem to be of primary importance. They impress because they blue-print definite action to be taken in rather refreshing contrast to the empty wordiness which marks so many political protestations against integration.

When the supreme court of the United States rendered its now historic integration decision in 1954 it did so upon ground so far-fetched that no one can say now what the court might or might not rule on any given issue. Yet the inclination is to say that the court could not force Alabamians to keep open any school they might desire to close.

Operation of public schools is and forever has been a state function and that, parenthetically, is the reason behind so much strong opposition to any helter-skelter program of federal aid to education. Federal control eventually becomes a condition of federal financing.

But if the state be free to close its schools rather than permit them to be integrated, it is far better that they be closed individually as they are threatened and the chief executive, in our view, would be the proper person to be charged with the duty of decision.

We think that Mr. Battle has presented a sound suggestion on the school crisis.

i

Hearing not yet set—

School board asks court reject race law challenge

News P. 7

B'ham Ala. News 1-7-58

The federal courts have been asked to throw out a Birmingham suit challenging constitutionality of Alabama's School Placement Law, designed to preserve classroom segregation.

The Birmingham Board of Education in a petition filed yesterday in federal court here contended that four Negro plaintiffs have not exhausted administrative procedures provided by the law. The board also said the statute is constitutional.

No date was set for a hearing by a three-judge court which will hear the case because it challenges constitutionality of a state law.

THE FOUR NEGROES were among a group of Negro children who sought enrollment in white schools here at the start of the school year.

The Board of Education instructed school authorities to process the applications under provisions of the placement statute.

The still untested law gives school boards broad authority in assigning students to schools. Without mentioning race, it directs school officials to consider the effect of enrollment of a child upon classmates, background of the child, and other factors.

ruled on the applications of the children, they appealed to U. S District Court for a ruling declaring the statute unconstitutional.

THE BOARD'S petition for dismissal of the complaint said in part:

"It appears from the allegations of the complaint, despite conclusions which might be construed as having a contrary meaning, that the administrative remedies provided by the laws of Alabama have not been exhausted and that plaintiffs have no proper standing before this court of action."

The motion for dismissal also asserted that while the Negroes claim is based solely on "alleged unconstitutionality" of the Placement Law . . . the law is plainly not unconstitutional upon its face. . ." The Placement Law provides for appeal to the state courts by patrons dissatisfied with board rulings on the cases.

THE THREE-JUDGE PANEL which will hear the case includes Judge Richard T. Rives of the U. S. Fifth Circuit Court of Appeals, and Judges S. H. Lynne and H. H. Grooms of the U. S. District Court for the Northern District of Alabama.

Since a judge of the Circuit Court of Appeals is a member of the panel, the decision of the three judges can be applied direct to the U. S. Supreme Court.

Seek Dismissal Of Integration Suit In Alabama

Daily World

Atlanta Ga.

Wed. 1-8-58

BIRMINGHAM, Ala.— (INS) —The Alabama Board of Education filed a motion in Federal Court Monday asking that a pending school integration suit be dropped because it was yet "premature."

P. 1

Four Negroes started action December 8 on behalf of their children and "all of our race. "Z" contending that Alabama's school placement laws are plainly not constitutional on their face."

The Board of Education's motion stated that the four had not "exhausted all administrative remedies provided by the laws of Alabama."

Note date has yet been set for this hearing or the original complaint. A three judge panel must decide the issue because whenever a state law is tested, 3 judges are required to hear the case.

Negroes To Get Big New School

Post Herald

B'ham Ala.

JACKSON, Jan. 2 (U.P.)—The Jackson school board announced today it will build the largest common school in the state and it will be for Negroes.

P. 5

Board President W. M. Buie said contracts for design of the Livingston Road junior-senior high have been signed with an architect. It will cost more than $1 million and will house about 1400 students. It is schedueld for completion for the 1959-60 school term.

Fri. 1-3-58

School board construction chief Jim Chastain said the proposed building is "the largest step in the long-range planning for equalization of school plant facilities for Negroes and whites in Jackson."

The school will be financed by state and local funds.

AlabamaMapsPlan To Shut Schools If U.S. Troops Move in

MONTGOMERY, Ala., March 24 (AP)—Atty. Gen. John Patterson said today that if a special Alabama legislative session is called, a bill will be considered to close schools where integration is enforced by federal troops.

The request came in a letter to Gov. James E. Folsom and the attorney general included a proposed bill.

"I believe that this law will prevent future 'Little Rocks' in Alabama and will aid in preserving our public school system should the federal government attempt to integrate our schools by the use of military forces," Patterson's letter said.

Times Union

3-25-58

Jacksonville

Negro Students Argue Right To Federal Court Litigation

BIRMINGHAM, Jan. 20 (AP)— Four Negro students today said they have a right to ask federal court intervention before final administrative action on their applications for admission to white schools.

Advertiser P

The claim was made in answers filed to a contention of the Birmingham Board of Education and they went into U.S. District Court too soon. The reply of the Negroes said their case belongs in federal court because a constitutional question has been raised.

Tue 1-21-58

None of the Negroes has been admitted to a white school by the board of education, which is processing their applications under the Alabama school placement law.

Montgomery, Ala.

The placement law gives school authorities broad powers in assigning students to schools. While it dosn't mention race it is intended as a bulwark to preserve Alabama's racially segregated public school system.

When the Negro children applied for enrollment in white schools last September, the board instructed city school officials to handle the cases under the placement law.

Attorneys for the Negro students said in U.S. District Court today that "it is not necessary to exhaust the administrative remedies where the statutes under which such remedies are afforded are attacked on constitutional grounds.

". . . Nor is it necessary to exhaust the administrative remedies where such remedies are inadequate or resort to them would be a vain and useless gesture," the statement added.

The four children are Ruby Fredericka, Shuttlesworth, Denise Armstrong, Wathaw Avery Jr., and Nathaniel Horton. They are seeking enrollment at Phillips High and Graymont Eementary schools, which they said are nearest their homes.

A three-judge panel has been designated for the case, but no date has been set for a hearing.

'IKE' SCHOOL PROGRAM WILL GO TO CONGRESS

Commercial Appeal P. 1

Democrats Challenge Plan As Not Enough To Meet Space Age Needs

By International News Service

WASHINGTON, Jan. 26. — President Eisenhower sends to Congress Monday a billion dollar education program amid Democratic challenges it doesn't go far enough to meet space age challenges.

Memphis Tenn.

On the eve of the message, Senator John F. Kennedy (D., Mass.) proposed a more expansive measure to attack the education problem "at its roots" with a school construction program.

Mon. 1-27-58

Can't Ignore Shortage

Senator Kennedy said he will introduce legislation this week to launch a five-year, one and a half billion dollar school construction plan.

He rejected Mr. Eisenhower's decision that the construction project be deferred, saying: "Congress cannot ignore or forget the classroom shortage by deferring action on it—we can only worsen it."

Senator Alexander Smith (R., N. J.), GOP member of the Labor and Public Welfare Committee, announced he will introduce the Administration's education bill on Tuesday.

Racial Fight Killed Bill

This measure, to be outlined in the President's message, will call for a one billion dollar, four-year program to provide scholarships and fellowships to encourage scientific education.

A previous school construction bill died in the House in a fight over school segregation.

File dismissal request answer—

Negro students to press for white school entrance

News, B'ham, Ala. 1.9. Tues 1-21-58

U. S. District Court had another development before it today in the suit of four Negro children to enter Birmingham schools on a non-segregated basis.

E. D. Jackson of Jacksonville, Fla., attorney for the children, has filed an answer to the demand of attorneys for the Birmingham Board of Education that the suit by the Negroes be dismissed.

As grounds for their action the Board of Education attorneys said "administrative remedies provided by the laws of Alabama have not been exhausted."

148(1)

THE DOCUMENT now filed by Atty. Jackson contends "it is not necessary to exhaust the administrative remedies where the statutes under which such remedies are afforded are attacked on Constitutional grounds.

"Nor is it necessary to exhaust the administrative remedies where such remedies are inadequate or resort to them would be a vain and useless gesture," the answer by the Negro attorney continued.

Jackson's answer is the third development in the move by the Negro children to enter white schools nearest thir homes. The suit by the Negroes, filed Dec. 18, asked that Alabama's School Placement Law be declared null and void.

THE BOARD OF Education has adopted new rules and regulations based on the amended School Placement Law. It provides among other things for tests by the school's guidance department.

Dr. Frazer Banks, superintendent of Birmingham public schools, also has sent questionnaires to parents of children at Woodlawn and Phillips High School and Graymont Elementary School asking their opinion about school integration. The three schools are the ones the four Negro children are trying to enter on the grounds that these schools are nearest their homes.

The Board of Education filed its answer to the suit by the Negroes Jan. 7.

The four children on whose behalf the suit has been filed are Ruby Fredricka Suttlesworth, Denise Armstrong, Wathaw Avery Jr. and Nathaniel Horton. The Shuttlesworth girl is the daughter of the Rev. F. L. Shuttlesworth, who was beaten in front of Phillips School after he attempted to enroll his children there.

A THREE-JUDGE PANEL has been appointed to hear the suit by the Negroes. Its members are Federal Judges Seybourn H. Lynne and H. Hobart Grooms, both of Birmingham and Judge Richard Rives of the Fifth Circuit Court of Appeals.

The case has not yet been set for trial.

Judge Lynne will leave for New Orleans this week-end to preside at an anti trust suit against the United Fruit Co. The case is expected to last most of this year.

By any name its more tax—

Meadows submits solution for schools on probation

MONTGOMERY, Ala., Jan. 25—State Supt. of Education Austin Meadows today said the 107 Alabama schools placed on probation Friday can be saved from non-accreditation.

However, the limb he held out for the drowning schools is one citizens have been most eager to cut off. Dr. Meadows called it "funds supplied by the people." Another name is "tax."

News P A10

"We as a people in the state of Alabama are financially able to supply good schooling if we want to do so," he said. "Fifteen or 20 years ago we were not able, but today we are."

B'ham Ala.

HE SAID the major shortcomings of the 95 white and 12 Negro schools are untrained teachers, too many pupils per teacher and lack of library facilities.

Sun. 1-26-58

The schools must correct the deficiencies by next Autumn or will be dropped from the State Department of Education accredited list, Dr. Meadows said. Asked if he thought the schools could correct them by then, he said, "Yes, they all can if the local communities will provide the funds."

He said his office stands ready to help the schools in every way it can. Letters have already been sent to the schools advising them of their shortcomings and advising them how to overcome them, he said.

MEADOWS SAID the schools were the only ones in Alabama that have been checked and not found up to state standards. He said the schools were found deficient after a committee went to the schools and made accreditation reports which were analyzed.

The white schools placed on probation are:

ETOWAH COUNTY HIGH (Attalla), Hokes Bluff, Southside, Glencoe, Walnut Grove, Sardis, Albertville, Alexandria, J. B. Pennington (Blountsville), Susan Moore, Crossville, Cleveland, Walter Wellborn (Anniston), Douglas, Fyffe, Gaylesville, Geraldine, Ider, Sand Rock, Hayden, Odenville, Ohatchee.

Oneonta, White Plains, Ragland, Ranburne, Locust Fork, Jackson County High (Scottsboro), Sylvania, Paint Rock High (Princeton), West Limestone, McKenzie, Midland City, Millport, Moulton, New Brockton, New Hope, New Market, Reeltown, Parrish, Phenix City Central, Dallas County High, Coosa County High, Samson, Chavala, Semmes (Slocum), Sulligent, W. S. Neal, Elba, Eva, Falkville, Flomaton.

GENEVA, Gorgas, Goshen, Guin, Hackleburg, Hamilton, Hanceville, Hazel Green, Crenshaw County High, Monrovia, Russell County High, Kennedy, Leroy, Addison, Ardmore, Ariton, East Limestone, Escambia County High, Baker Hill, Elba (Bayou La Batre, Phillips (Bear Creek), Beatrice High, Berry, Blue Springs, Cold Springs, Houston County High, Fairview.

WEST POINT, Union (Dadeville), Speake (Danville), Austinville (Decatur), Rehobeth, Theodore, Hatton, Hazlewood, Lamar County High, Vincent, Wedowee, Wetumpka, Woodville, Belgreen and Danville.

Negro schools on the probation list:

CARVER (Montgomery) Choctaw County Training School, Coffee County Training School, Conecuh County (Evergreen), Dunbar (Ramer), Russell County (Hurtsboro), St. Clair (Pell City), Snow Hill Institute, Tuscaloosa County (Northport), Van Buren (Eufaula), Wilcox County (Miller's Ferry), and Holy Family (Birmingham).

Test Of Alabama School Placement Law On Calendar

148(1)

BIRMINGHAM, Ala. — (INS) — The initial test of Alabama's school placement law was placed on the calendar Wednesday for a nApril 3 hearing at Federal Court in Birmingham.

World P. 6

The case, which will be heard by a three-judge panel, is based on the demand of four Negroes seeking entry to all-white schools.

Fri 3-7-58

The plaintiffs charge that the school placement law is unconstitutional and should be abandoned. The Negroes, of elementary and high school age, sek entry for themselves "and others similarly situated" to the schools "nearest" their homes.

Atlanta, Ga.

The placement law, which fails to mention race, virtually "freezes" children to the schools they had previously attended. Transfer is granted only with approval of the local school board.

The plaintiffs, who applied for transfer under the law, said the measure is nothing but a "stall" of integration.

The school board claims however that all transfers are acted on "in the general interest" and nothing in the placement is in violation of the constitution.

14d(1) 1958

ALABAMA

Integration Suit Dismissal Sought

Pos. Herald, P2

B'ham, Ala.

BY IVAN SWIFT

Tues. 1-7-58

Attorneys for the Birmingham Board of Education yesterday asked U. S. District Court here to dismiss a suit seeking integration of Phillips High School and Graymont Elementary School.

The school board said t

ut filed on behalf of four Negro children Dec. 18 is premature because "administrative remedies provided by the laws of Alabama have not been exhausted and that plaintiffs have no proper standing before this court in this action."

14d(1)

The plaintiffs named in the original suit are Ruby Fredericka Shuttlesworth, daughter of the Rev. F. L. Shuttlesworth; Denise Armstrong, daughter of James Armstrong; Wathaw Avery Jr., son of Wathaw Avery, and Nathaniel Horton, ward of Annie L. Horton.

Ala.

The motion to dismiss the suit also claims the court doesn't have jurisdiction in the case.

It says "the complaint fails to state a claim upon which relief can be granted."

The motion says the Negroes claim is based solely on "alleged unconstitutionality" of the Alabama school placement law, but ". . . the law is plainly not unconstitutional upon its face . . ."

The school board attorneys also asked the court to "quash" the action because they have not been served with a "true copy" of the complaint.

The Negroes' petition will be heard by a three-judge panel, appointed Dec. 26. They are Judge Richard T. Rives of the Fifth Circuit Court of Appeals, Judge Seybourn H. Lynne, U. S. district judge for the Northern District of Alabama, and Judge H. H. Grooms, also district judge of the Northern District of Alabama.

Yesterday's motion also will be heard by the three-judge panel, and no date has been set.

A motions docket will be heard by Judge Lynne Friday, but the board's motion was filed too late to be placed on it.

A three-judge panel was appointed because the state school placement law is being challenged. When a state law is challenged in Federal cou

three judges are required to hear it. Since Judge Rives is a member of the Fifth Circuit Court of Appeals, the case will go to the United States Supreme Court from district court here if further litigation takes place.

No date has been set for the hearing on the motion or on the original complaint. The three judges will select a time.

The original action by the Negroes said they are entitled to attend schools nearest their homes, naming Phillips High and Graymont Elementary.

And it is a "class action" because it asks the same privileges for all Negro children.

School board attorneys who filed yesterday's motion are Ca baniss and Johnston and La Simpson, Robinson and So ville.

We have a right to sue say Birmingham children

14d(1)

BIRMINGHAM, Ala. — Answering a brief filed recently by the Birmingham school board challenging their right to sue for school integration, four colored pupils here last Monday said they had a right to take the matter into federal court.

Afro American

The school board contened that the children should have exhausted the administrative remedies before going into the courts.

P. 9

Attorneys for the children said the case belongs in a federal court because a constitutional question has been raised.

Sat. 2-1-58

* * *

THE BIRMINGHAM school board is currently processing the applications of Ruby F. Shuttlesworth, Denise Armstrong, Warsaw Avery Jr. and Nathaniel Horton for enrollment at the all-white Phillips High and Graymont Elementary Schools.

Baltimore, Md.

None of the children have been admitted to the schools. Their applications are being considered under the Alabama school placement law, which allows the school board to assign pupils to schools.

No date has been set for the special three-judge federal court hearing of the case, but attorneys for the children s ted in a reply to the school board;

"It is not necessary to exhaust the administrative remedies where the statutes under which such remedies are afforded are attacked on constitutional grounds.

* * *

"NOR IS IT necessary to exhaust the administrative remedies where such remedies are inadequate or resort to them would be a vain, useless gesture."

ALABAMA EDUCATOR ASKS SPECIAL RELIEF

Meadows Sees Urgent Need For Emergency Session

MONTGOMERY, Ala., Feb. 5. — (UP) — School superintendent A. R. Meadows said Wednesday he will beg delegates to the Alabama Education Association to call on their lawmakers to force a special session of the Legislature to relieve educational emergencies.

Appeal P. 4

Dr. Meadows said, "The precedent already has been set and we must save accreditation of our schools and colleges. Education needs a minimum of seven million dollars to meet the crisis this year and seven million dollars above the appropriation for 1959 . . . provided there is no proration this year or next."

Thurs. 2-6-58

Memphis Tenn

About 500 delegates to the AEA are expected to convene here Friday and Saturday at the University of Alabama Extension Center for their annual convention. The AEA is recognized as the strongest professional education group in Alabama.

"I will ask each delegate to call on his legislator when he returns home and get that legislator to request a special session," Dr. Meadows said. "And the delegates should tell the lawmakers to assure the Governor that they will convene only to relieve the present educational emergencies."

When asked how the money could be raised if tax collections are not enough, Dr. Meadows replied, "by eliminating all tax exemptions."

"I'm for removal of all the tax exemptions," he said, "and if anyone feels that there is an undue burden on him then the Legislature can come back and compensate those who are hurting. I am not in support of any new taxes at all and if you remove the exemptions all the taxes can be collected more quickly and efficiently."

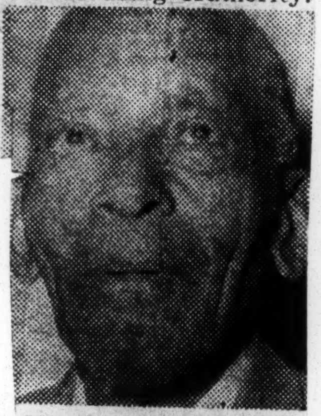
School Named for Alabama Citizen

14d(1)

In Birmingham, the City Board of Education recently selected the name of one of its most illustrious citizens for one of the elementary city schools . . The honored gentleman is W. H. Calloway, a vigorous gentleman, outstanding in civic and religious work. He is employed by the Birmingham Housing Authority.

Courier

P. 5



W. H. CALLOWAY
school named for him

Mrs. Calloway is socially prominent Hattie, one of the city's top hostesses, a teacher in the public schools . . . Their daughter LaRue Washington is a nurse in my home town's (Detroit) Harper Hospital.

Sat 2-22-58

Pittsburgh, Pa.

Placement Law Test Set For April 3

Advertiser

Montgomery, Ala.

Wed 3-5-58

Three-Judge Panel To Hear Birmingham Negroes' School Plea

BIRMINGHAM, March 4 (AP) — A three-judge federal court panel will hear Negro charges that Alabama's School Placement Law is unconstitutional Thursday, April 3, court officials said today.

14d(1)

Members of the panel will be U.S. Circuit Judge Richard T. Rives, Montgomery, and U.S. District Judges Seybourn Lynne and H. Hobard Grooms of Birmingham.

Ala.

The attack on the placement law, which was enacted as a defense of Alabama's racially segregated public school system, was filed in behalf of four Negro children who were denied enrollment in white Birmingham schools.

The suit was filled as a class action, asking that the four children and all other Birmingham Negro students be permitted to attend any city school without discrimination because of their race."

SHUTTLESWORTH CHILD

One of the students is a child of the Rev. F. L. Shuttlesworth, president of the Alabama Christian Movement for Human Rights. Shuttlesworth also is one of a group of Negroes attacking bus segregation in Birmingham. Shuttlesworth was beaten by an angry white mob when he attempted to enroll Negro children in Phillips High School last September.

The School Placement Law, previously untested in any court, gives school boards broad powers in assigning students to schools. Race isn't mentioned but sponsors of the measure made clear that it is intended to circumvent the 1954 U.S. Supreme Court ruling that segregation in public schools is unconstitutional.

ELIGIBILITY TEST

Any appeal from the panel of judges scheduled to hear the case would go to the U.S. Supreme Court, since Rives is a member of the U.S. Circuit Court of Appeals.

The Birmingham Board of Education said it was in process of determining whether the Negro children were eligible for enrollment at the white schools when the court suit was filed. They previously had attended Birmingham Negro schools, but attempted to enroll at all-white Phillips High and Graymont Elementary School.

The complaint was filed in U.S. District Court Dec. 18.

The board says that "the administrative processes" that were under way at the time of the suit's filing hadn't been completed when the integration action began.

The four children involved in the suit are Ruby Fredricka Shuttlesworth, Denise Armstrong, Wathaw Avery Jr., and Nathaniel Horton.

Advertiser

The Board of Education had given them a series of tests and had sent questionaires to parents of children at Graymont and Phillips when the action began. The questionnaires among other things asked the views of parents and families on racially mixed classes.

4-2a

14 dec

In Federal Court here—

April hearing slated for Negro school petition

Three-judge panel selected for case

News, P.33

A three-judge court will convene here Thursday, April 3, to hear a suit by a group of Birmingham Negroes asking for an injunction on enforcement of the Alabama School Placement Law and that the law be declared "null and void."

Date for hearing of the case was set late yesterday after attorneys for the Birmingham Board of Education filed an answer to the suit.

14 dec

The judges who will hear the case are U. S. Circuit Judge Richard T. Rives of Montgomery, a member of the Fifth Circuit Court of Appeals, and Federal Judges Seybourn H. Lynne and H. Hobart Grooms, both of Birmingham.

The case will be heard in the large federal courtroom at the federal building in Birmingham.

B'ham Ala

JOSEPH F. JOHNSTON, with the firm of Cabiniss and Johnston, representing the school board, appeared at the office of the clerk of U. S. Court shortly before 4:30 p.m. yesterday to file the suit. Shortly after this the federal judges announced the date for the hearing. The panel of judges had already been appointed.

Wed. 3-5-58

The answer says flatly the school board has no legal or constitutional obligation to assign any pupil solely on the basis of proximity to schools.

The suit originally was filed here Dec. 18 of last year.

It was brought by the Rev. F. L. Shuttlesworth and three other Negro adults on behalf of children that the adults said are eligible to enter Phillips High School and Graymont Elementary School.

The three other plaintiffs are Ruby Fredericka Shuttlesworth, James Armstrong on behalf of Denise Armstrong, Wathaw Avery Sr. on behalf of Wathaw Avery Jr. and Annie L. Horton on behalf of Nathanile Lee Horton.

Ernest D. Jackson of Jacksonville, Fla. is the attorney representing the plaintiffs. He field the suit by mail last December.

THE PLAINTIFFS are asking that "others similarly situated" meaning all Negro children, be allowed to attend Birmingham public schools on a non-racial discriminating basis.

The suit is an outgrowth of the integration struggle which began last August. On Aug. 21, nine Negro families petitioned the school board and Dr. L. Frazer Banks, superintendent of Birmingham public schools, for admission of 13 children to Phillips and Woodlawn high schools and to Graymont elementary school.

The school board on Sept. 6 adopted rules and regulations based on the state's amended School Placement Act. The petitions were turned over to Supt. Banks for action. Meanwhile, pentitions were withdrawn by three of the Negro families.

Three days after the meeting the Rev. Mr. Shuttlesworth was beaten in front of Phillips High School when he attempted to enroll his own children there.

THE ATTORNEYS for the school board, in their answer, state the four Negro children trying to enter Phillips High School and Graymont elementary school "were in the process" of having their eligibility determined when the suit was filed.

The administrative processes that were underway at the time of the filing of the suit hadn't been completed when the action began, according to the answer.

A series of tests had been given the four children and questionaires had been sent parents of all children at Graymont and Phillips when the action began, the answer noted.

ATTY. JACKSON, representing the plaintiffs, claimed enough time had passed since the board began the tests for a determination to be reached. The school board hasn't given an opinion "admitting or denying" the request of the Negroes to attend white schools, the attorney declared.

The school board answer denies the allegations of the complaints that the Alabama school placement law is unconstitutional. The procedures of the Alabama law are valid and must be followed, the answer asserted.

The answer notes the complainants seek to have the court say that the Negro children be allowed to go to the school nearest their homes without regard to any other consideration. There is no legal or constitutional obligation on the school board to assign any pupil solely on the basis of proximity, the answer answer claimed.

The Negroes complaint had stated that some of the children were going to Negro schools farther away from their homes than white schools.

The answer further stated the integration attempt is an action against the state "and without the consent of the state." It claimed such action is against the Eleventh Amendment to the U. S. Constitution.

IN ANSWER to the reference of the Negroes to the Supreme Court school integration decision, the board said it denies "it has applied or proposes to apply to the assignment of the minor plaintiffs (the four Negro children) any standards which are not constitutionally valid and permissable

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Slump-Easing School Work Plan Offered

Advertiser P.1A

14 dec

Montgomery Ala

By GEORGE PRENTICE

A $110 million school construction program in Alabama would stop the rising number of unemployed, "and without federal assistance," a state educator siad here Wednesday.

State School Supt. A. R. Meadows proposed construction of 13,000 additional classrooms over the state to "bolster employment, increase the sale of building and allied materials, and start the economic wheels turning again."

Thurs. 3-20-58

He estimated cost of the overall project at $110 million.

Meadows pointed out that the program "could be put into effect through bond issues."

COUNTY LEVEL

He said the program would reach unemployment on county-to-county level since each community wou[illegible] he pace for its own needs.

"Repayment o[illegible] e debt could be spread over a 30-year period," he continued, "thus minimizing the financial strain."

Meadows predicted that school needs would be included on the agenda for legislative action, "if the Legislature is called into special session."

Gov. James E. Folsom twice within the past week has been requested to call a special session.

"A school building program is a must if the state is to maintain segregation," Dr. Meadows declared.

He said the need was especially critical in rural areas, "where we lack equal building facilities."

Dr. Meadows said he had not talked with the governor about "the possibilities of a special session."

Advertiser

Folsom, meanwhile, refrained from public comment on his intentions. He had made no reply to the school board's request and was unavailable Tuesday for comment on Kelly's proposal.

Meadows also has urged that federal appropriations be made for school construction, "without federal control."

P.2A

He sent copies of a letter asking for such a program to chief school officials in 47 other states, the National Education Assn., and the National Council of Chief State School Officers.

14 dec

"School buildings would be of tremendous national value for the next 50 to 100 years," he said.

He suggested that the federal government set up a school construction program similar to the new interstate highway program, leaving it up to the states to carry out the work.

Thurs 3-20-58

"Federal assistance for a school construction program would also encourage state and local efforts to team up with Uncle Sam to encourage prosperity and improve the quality of education," Meadows concluded.

School Placement Law for Alabama Is Upheld

1958

Times Picayune p. 30

Sat. 5-10-58

New Orleans

MONTGOMERY, Ala. (AP) — A three-judge panel in federal court ruled Friday that Alabama's school placement law can be administered in a lawful manner and cannot be held invalid on its face.

The panel turned down a request on behalf of four Negro children in Birmingham for a decree holding the two-year-old law unconstitutional and incapable of being lawfully administered.

In an unanimous decision, Judge Richard T. Rives of the U.S. Circuit Court of Appeals and District Court Judges Seybourn H. Lynne and H. H. Grooms of Birmingham said the law "furnished the legal machinery for the orderly administration of the public school in a constitutional manner . . ."

However, the panel added, the possibility exists that the law may later be held unconstitutional "in its application."

Enacted by the Legislature in 1956, the law gives local boards almost unlimited authority to say where individual pupils must attend school. But it makes no mention of race or color.

The act sets forth suggested formulae to use in determining the admittance of pupils on an individual basis. Among the factors are the background of the pupils and the effect of their admittance in a particular school on the peace and good will of the community.

Placement Law Ruling Appeal Seen Certainty

Daily World

Sun 5-11-58

14d(1)

MONTGOMERY, Ala. (INS)—Alabama's School Placement Law had been ruled constitutional Saturday and a request for an injunction against it was turned down in a federal court.

A Three-judge federal panel turned down a request by four Birmingham Negro children for a decree holding the two year old law unconstitutional.

P. 4

Judges Richard T. Rives of the U. S. Circuit Court, of Appeals and District Judges Seybourn H. H. Grooms of Birmingham said the law "furnished the legal machinery for the orderly administration of the public schools in an constitutional manner."

The law--entered in the legislature in 1956-- gives local boards authority to declare where pupils must attned school. But made no mention of race or color.

A sportsman for Negroes said, "I am pretty sure there are going to be further proceedings but I don't know when."

He added:

"There are no plans to quit the fight until we have the right every one else has regarding public places.

Atlanta, Ga

An appeal would go directly to the U. S. Supreme Court.

Decision Here Faces Attack, Negroes Imply

14d(1)

BY IVAN SWIFT

Post Herald

Alabama's School Placement Law was ruled constitutional and a request for an injunction against it by a group of Negroes was turned down in Federal Court here yesterday.

The case was heard here April 3 by Federal Judges Richard Rives, Seybourn H Lynne and H. H. Grooms and all three concurred in the decision.

B'ham Ala.

The 20-page decision says "the school placement law furnishes the legal machinery for an orderly administration of the public schools in a constitutional manner by the admission of qualified pupils upon a basis of individual merit without regard to their race or color."

The Judges compared the Alabama law to the North Carolina law which also has been ruled "not unconstitutional."

Sat 5-10-58

And they mention that under the North Carolina law some Negro children have been admitted into schools that formerly were all-white.

The Rev. Fred Shuttlesworth, father of one of the children named in the petition, said he is "pretty sure there will be further proceedings, but I'm not sure where."

p. 1

Shuttlesworth said "there are no plans to quit the fight until we have all the constitutional rights everyone else does regarding public places."

An appeal would go directly to the Supreme Court in Washington, since Judge Rives, who ruled on the case with the Birmingham Federal judges, is a member of the Fifth Circuit Court of Appeals.

The ruling emphasizes that it limits itself to "the constitutionality of the law upon its face."

It says that some future court proceeding may find that it is "unconstitutional in its application."

Attorneys for the Negroes argued that the intent of the law is to deprive the Negro children trying to get into white schools of their constitutional rights, but the judges quote from previous decisions to rule that out.

They say "in testing constitutionality 'we cannot undertake a search for a motive'," and "'If the state has the power to do an act, its intention or the reason by which it is influenced cannot be inquired into'."

Sen. Albert Boutwell, chairman of the Joint Legislative Committee to maintain segregation in Alabama, which drew up the original bill in 1955, said he expected the "able court" to decide the school placement law is constitutional.

The law, which was amended in 1957, was brought out by all the members of the Senate in the 1957 session when it was approved.

The attempt to integrate Birmingham public schools actually began Aug. 21, 1957, when a group of Negro parents petitioned the Board of Education to admit their children to white schools.

They asked the board to "reorganize" the school system so Negro children could attend schools that are closest to their homes.

The board set up testing sessions Sept. 9 and 10, and another session Sept. 16.

The children, Ruby Fredericks Shuttlesworth, Denise Armstrong,, Wathaw Avery and Nathaniel Lee Horton, did not show up Sept. 16 for the tests.

A new date was set and they did come Oct. 7. In November their parents were interviewed.

On Dec. 18 the complaint ruled on here yesterday was filed in Federal Court.

In the body of the decision, it is pointed out that "no intellectually honest person would deny those (school segregation) laws were passed in an effort to meet and solve problems presented by the school segregation cases"

B 14d(1)

(Nine sections of the Alabama constitution were amended in a vote ratified August, 1956, to make the law possible.)

The Negro lawyers pleaded strongly that the complete intent of the law is to preserve

Post Herald

Pupil Placing Law Upheld in Alabama Test

Sunday Star

Washington, D.C.

Sun 5-11-58

Alabama's pupil-placement law has been upheld by a three-judge Federal court.

P. 16-A

14d(1)

A unanimous decision handed down by the panel in Birmingham Friday declares that the school law does not conflict with the Supreme Court desegregation decision, the Associated Press reported.

It is the second placement law in the South to withstand challenges in Federal courts. The other is North Carolina.

Alabama's placement, like North Carolina's, vests in local school boards broad authority for assigning students to schools for a variety of reasons excluding race.

Laws in Existence

Both States have laws that permit closing of public schools if it becomes necessary, but in neither State is the closing mandatory.

So far, Alabama's placement law has not permitted any integration, although attorneys for the State argued in court that racial mixing was possible under the placement program. In North Carolina, 11 Negroes have been permitted to attend previously all-white public schools under that State's placement program.

The Alabama and North Carolina school placement laws differ in several respects from the placement program adopted by Virginia.

Legal Flaws Ctied

Federal courts have held Virginia's placement law unenforceable against Negroes.

The legal flaws that Federal courts have complained of in Virginia's program include the fund cut off law, which automatically withholds State school funds from any locality that attempts to operate mixed classes, and the automatic school closing law which takes effect whenever a Negro enters a white school.

The decision handed down in Alabama is appealable directly to the Unietd States Supreme Court from the three-judge Federal court.

Patterson Predicts Violence If Alabama Schools Integrate

By GEORGE PRENTICE
Advertiser Staff Writer

Advertiser
Montgomery Ala.
Tue. 2-11-58

NEW SITE, Ala., Feb. 10—Atty. Gen. John Patterson predicted "violence, disorder and possible bloodshed," if integration of the schools is attempted in Alabama and said he would seek a law to close public schools "if troops are used."

Opening his campaign for governor here tonight, Pattersom promised "to see to it that there will be no mixing of the races in the public schools or other public facilities of this state.

"I promise you that I will continue, as I have in the attorney general's office, to wage an all-out fight against outside agitators like the NAACP," he said.

Patterson said he was "proud to kick off his campaign for governor of this state from New Site and Tallapoosa County. I was born and raised just two miles from here in Goldville community.

"My father, grandfather and other relatives are buried in Bethlehem Cemetery just a few hundred yards from here," he continued.

Turning again to public schools and integration, he said:

"I will seek the passage of a law requiring the governor to close any public school where federal troops are used to force race-mixing in that school. No public school can function at the point of a bayonet," he said.

Referring to the vice which once gripped Phenix City, Patterson said "I don't want to ever have to live again in a town where you have to carry a pistol when you go downtown to get your mail and where you have to worry about someone poking dynamite under your house where your wife and children are sleeping."

Constitutionality, Facial And Otherwise

Advertiser P. 4A
Thurs. 5-15-58
Montgomery Ala.

AS WE noted Sunday, the fact that Alabama's School Placement Act has been declared not unconstitutional "on its face" does not mean that the law is a perfect shield against integration.

However, there seemed to be a faint note of retreat in the ruling of the three-judge federal court on the Birmingham case last week. In the Virginia case, for instance, the federal court looked behind that state's Placement Act and found a "fixed and definite policy" of the state to preserve segregation and invalidated the law.

Although the Virginia and Alabama laws differed in some details, as we have previously noted, the Birmingham panel seemed less eager to seek out "legislative intent" than the court was in the Virginia case.

Even so, the ruling did put Alabama on notice: "In some future proceeding it is possible that it [the Placement Act] may be declared unconstitutional in its application."

A clue to what the court meant is contained in an opinion of the U.S. District Court of Appeals in New Orleans (on which Judge Rives, one of the panel members in the Birmingham case, sits) last year. In a general discussion of placement and assignment criteria — public health, morals, better education, peace and good order, etc.—the court said a state could pass all the school administrative laws it likes, but only "so long as all such rules are applied in a manner as to affect all pupils without regard to their race, and are not used as a mere screen to perpetuate compulsorily segregated schools contrary to the court's order."

In other words, though the Alabama legislature has done a good job in devising facial constitutionality, the big test—application of the law—is still to come. But, because of the panel's reluctance to examine legislative intent behind the law, there is encouraging evidence that the Placement Act may at least put off the educational catastrophe of a race-mixing order.

And much of the credit for that significant achievement goes to Senator Albert Boutwell, who headed the segregation study committee which wrote the law.

Patterson says he'll ask law to close schools

Birmingham News
Birmingham Ala.
Sat. 6-14-58

TUSCALOOSA, Ala., June 14—(AP)—Atty. Gen. John Patterson Saturday said when he takes office as governor he will seek a law giving the executive authority to close any public school when federal troops arrive. P. 1

The attorney general addressed members of the Alabama Assn. of County Agents at a closing session of their annual convention.

He won the Democratic nomination for governor, equivalent to election in Alabama for 90 years, last June 3.

PATTERSON made his first appearance at a state convention since his runoff victory over Circuit Judge George Wallace. He said Texas already has a law empowering the governor to close any public school at which federal troops attempt to take over, and Mississippi is planning such legislation.

The governor-nominate hailed Alabama's school placement law as "a legal tool to maintain segregation without violence in the state." Constitutionality of the law recently was upheld by a three-judge U. S. district court, but the ruling is being appealed by attorneys for four Birmingham Negro children.

J. C. Burllington, Jasper, was elected president of the association, succeeding L. C. Alsobrook of Selma. W. L. Martin of Guntersville was named vice president and Owen Reeder of Luverne was chosen secretary-treasurer.

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10 Per Cent Fund Slash Hits Schools

Advertiser
Montgomery Ala.

Pepper Orders Cutback As Tax Take Falls Short

Sat. 6-14-58
P. 1

In the wake of a continuing decline in state tax collections, State Finance Director Ed Pepper announced Friday he had ordered school funds to be slashed 10 per cent in the final four months of the current fiscal year (which ends Sept. 30).

Pepper's order came after it became apparent that existing school taxes would not produce the $117 million appropriated to the school system this year by the Legislature.

The 10 per cent proration ordered by Pepper will reduce the education appropriation for the year to $107 million, which is less than what schools operated on a year ago.

SECOND YEAR

The drastic slash in school funds marks the second consecutive year education has been forced to go into proration. In the 1956-57 fiscal year school funds were prorated 2.75 per cent. And barring a tremendous upsurge in tax collections in the months ahead, education may be forced to take another slash in the upcoming 1958-59 fiscal year, in which their appropriation calls for a record $119 million budget.

Pepper said he issued his order of proration on instructions from Gov. James E. Folsom. The law requires the governor to prorate funds when it becomes evident that incoming revenue will not meet the appropriation.

The slash in the school budget came less than four months after some fiscal officials at the Capitol insisted there was "no cause for alarm."

When the school taxes—sales, income, use and tobacco—began to drop below the expected level last February, Revenue Commissioner W. L. Horn insisted that proration was not likely.

FALL FAR BEHIND

However, in the ensuing months the state tax take for schools continued to fall far behind, forcing Pepper's proration order.

Pepper pointed out that education is supported by sensitive taxes, that is, those which fluctuate rapidly with changing economic conditions.

This has been especially true in the sales tax, the biggest single producer for education. The Legislature in 1957 made its record appropriation to schools on the basis of a 5 per cent increase in the sales tax, but to date the tax has shown an increase of lass than 1 per cent.

Pepper emphasized that the proration would have no effect on the salary of teachers, as the fund they are paid from cannot be prorated. In addition, Pepper continued, most teachers have already been paid for the current school year.

As a result the $10 million reduction will come from funds earmarked for current expenses and capital outlay. However, the total reduction is greater than the full amount appropriated for current expenses, which means local school boards will have to borrow money to pay for whatever work in progress of this type.

School Building Needs Pointed Out By Meadows

Advertiser

Montgomery

Ala.

14d(1)

By GEORGE PRENTICE

A plea from Supterintendent of Education A. R. Meadows for a stepped-up school building program to ease unemployment again calls to mind the critical need for additional classroom construction.

Dr. Meadows last week cited the need for $110 million in construction over the state to ease the building shortage. He asked for immediate implementation of the program as a means of reducing the number of unemployed persons in Alabama.

Just what and where is this need for buildings, and how much of the overall program could be transmitted to local needs?

PARTIAL ANSWER

That answer is given, at least partially, in a report of the state Department of Education, compiled by its division of Administration and Finance.

According to this report of the school building needs of the state, Alabama not only would bask in the relief of added jobs, but would at the same time be bringing its "separate-but-equal" philosophy into vogue.

A good portion of the state-wide planning, according to the report, is for advancement of Negro education as well as white school expansion.

LETTER CITED

Meadows says the school construction plan could be effectively activated nation wide with the same result he hopes to see on the Alabama front.

He said as much in a letter to top educators and legislators recently.

He advances the theory that federal funds poured into the state projects, much the same as the interstate highway operation, could aid immeasurably in the matter.

Stressing, however, that he believes such money should be controlled on the local, rather than the federal level, Meadows believes "the funds could be spent efficiently and wisely because of the school surveys . . . made in the early 50's."

UNEMPLOYMENT AID

"A significant school construction program could help to relieve the present unemployment, would start the wheels of industry turning more regularly and faster for construction materials and thus slow down the recession of our eccomy," said Meadows.

Statistics in the Alabama survey show that Montgomery County is in need of $2,620,000 in school construction to take the bulge out of student expansion. About $2,475,000 of that amount would go for Negro school construction.

OTHER COUNTIES

Scanning the remainder of the counties in the Central and South of Alabama, total construction estimates and the Negro proration of the total, include:

Sumter, $4,155,850, (N) $4,067,500; Greene, $2,072,500, (N) $2,057,500; Hale, $2,940,000, (N) $2,790,000; Bibb, $3,622,500, (N) $1,252,500; Chilton, $3,172,500 (N) $832,500; Perry, $3,791,500, (N) $2,999,500; Marengo, $5,747,500, (N) $4,645,000; Dallas, $3,599,500, (N) $3,572,500; Autauga, $2,137,500, (N) $1,595,000.

Elmore, $4,496,500, (N) $2,747,000; Coosa, $1,695,000, (N) $795,000; Tallapoosa, $3,245,000, (N) $1,935,000; Chambers, $5,912,500, (N) $2,812,500; Lee, $2,457,500, (N) $1,620,000; Macon, $3,940,000, (N) $3,660,000; Russell, $2,330,000, (N) $2,395,000; Bullock, $3,025,000, (N) $2,940,000; Lowndes, $3,052,500, with the total amount going into Negro school construction.

Wilcox, $3,375,000, (N) $3,305,000; Butler, $3,082,500, (N) $2,160,000; Crenshaw, $1,412,500, (N) $867,500; Pike, $4,985,000, (N) $2,595,000; Barbour, $3,645,000, (N) $2,770,000; Henry, $2,525,000, (N) $2,227,000; Coffee, $3,755,000, (N) $1,447,500; Dale, $2,425,000, (N) $1,035,000; Houston, $2,535,000, (N) $1,387,500.

Geneva, $1,729,500, (N) $780,000; Covington, $5,527,500, (N) $670,000; Escambia, $4,725,000, (N) $2,415,200; Conecuh, $2,471,000, (N) $2,031,000; Monroe, $3,957,500, (N) $3,562,500; and Clarke, $3,445,000, (N) $2,995,000.

BOND ISSUES

Meadows says that in addition to federal funds which should be made avilable for such construction, Alabama's general public is ready to vote bond issues for such a statewide program.

He points out that repayment of the total $110 million could be spread over a period of 30 years —a couple of generations—easing the financial burden overall.

"And the building will be good for from 50 to 100 years," he says. "It would be a sound investment on the part of our people."

Ala. school test to come April 3

Afro-American Sat. 3-15-58

Baltimore, Md.

BIRMINGHAM, Ala. — A class action suit, filed on behalf of four colored children attacking the constitutionality of Alabama's Pupil Placement Act, will be heard by a three-judge Federal court here April 3, it was announced Tuesday.

The original complaint was filed in U.S. District Court last Dec. 18. Ruby Shuttlesworth, Denise Armstrong, Warsaw Avery Jr. and Nathaniel Horton were named as complainants in the action.

U.S. Circuit Judge Richard T. Rives of Montgomery and U.S. District Judges Seybourn Lynne and H. H. Grooms of Birmingham, will comprise the three-judge court for the hearing.

Miss Shuttlesworth is the daughter of the Rev. F. L. Shuttlesworth, president of the Alabama Christian Movement for Human Rights.

Mr. Shuttlesworth was severely beaten by a mob of white persons when he attempted last September to enroll his daughter in Phillips High School.

* * *

THE SUIT attacking the pupil placement law was instituted after the four children were denied admittance to the all-white Phillips High and Graymont Elementary Schools.

It is the first test of the Alabama school law, which gives the school board broad power in assigning pupils to schools.

The placement law admittedly is an attempt to circumvent the U.S. Supreme Court school integration decree.

The petition asks that the colored children be permitted to attend any school in the city without discrimination because of their race.

The Birmingham School Board contends that it was in the process of determining whether the children were eligible for enrollment in the white schools when the suit was filed.

The board insists that "administrative processes" were underway, but hadn't been completed, when the integration proceedings began.

Questionnaires sent out to parents by the board earlier asked the views of parents and families on integrated school classes, according to school officials.

Tell It To Old Grandma

Your name and address must be given on letter ★ But upon request, name will often be withheld at the Editor's discretion ★ We reserve the right to shorten letters ★ No poetry please ★ Repeat: No letter will be printed unless Editor knows who wrote it.

Put Montgomery On Top In Schools

EDITOR, THE ADVERTISER—In reply to the Alabama Education Commission which has invited suggestions concerning Alabama schools (*The Advertiser*, Pg. 5B, Feb. 26) and in reply to a letter from Mrs. [illegible] T. to *Grandma* March 4, here are some ideas:

The teaching situation in Montgomery schools is tragic. We are asking an individual teacher to spend every minute of 6½ hours a day with 35 to [illegible] pupils, five days a week. In elementary schools these are the same children. This can only mean a tired, worn teacher, whether she is 20 or 50, and (after three or four hours) a nervous, unhappy classroom.

Everybody, but everybody, says there is "not enough money," "we need more money," "millions needed for Alabama schools," etc., etc., etc. Why is this true, especially in Alabama, when such complete plans for funds for education have already been put into effect? Where is all of the money that each of us pays for sales tax? This 3% sales tax is a school tax, to be used for no other purpose! If all of the sales tax that each of us paid were used for education, we could have music teachers, physical education teachers, arts and project teachers in evrey school.

We would have the paper, the globes, the reference materials, the teaching necessities for every public classroom in Alabama. We don't need more taxes or more sources of income for schools. We do need to get all the sales tax into education channels.

In Montgomery we have additional sources of revenue for our schools, so we should be especially well fixed: 1¢ of the gas tax, considerable federal assistance for children of U.S. government employes and military families and a small millage of the proper tax all go into the education bin. In addition, parents buy books and supplies.

This is 1958, are you all satisfied with the few bright spots in our education system? Are you satisfied with the hard hours of teaching your child's teacher has? Are you satisfied that music and art are very incidental? Are you satisfied that your child gets no physical education, or maybe a few minutes after five steady hours of school? Are your satisfied with the kind of equipment your classroom teacher has to use, visual aids, good new books, helps of all kind?

Are you satisfied that your children will very probably never have the opportunity of playing a part in a little play? In fact, probably they will never know what excitement there is in playing a role before a group. This list could grow longer fast.

This is Montgomery, Ala., 1958. If we want industry and tourists to really put Montgomery at the top, just put Montgomery at the top in schools. Everything else will come.

MRS. B. E. M.
Montgomery.

14d01
Advertiser P. 2
Sun. [illegible] 58
Montgomery, Ala.

News staff photo—Lewis Arnol

LEADERS AT MEETING OF ALABAMA ASSN. OF SCHOOL ADMINISTRATORS . . . From left, V. C. Helms, Dr. D. P. Culp, O. B. Carter, Rep. Joe M. Dawkins

14d01
P6
Wed.
58

'Axe to grind'—

Dawkins says teachers must organize to better schools

BY AL STANTON
News staff writer

Alabama school administrators were told today to get into "politics" and elect candidates friendly to education.

"You have an axe to grind—admit it—to help the children of Alabama," said Rep. Joe M. Dawkins of Montgomery.

Dawkins, chairman of the Alabama Education Commission, which is making a long-range study of schools, spoke to the Alabama Assn. of School Administrators.

The school officials met at the Chamber of Commerce auditorium in a session preceding the opening of the Alabama Education Assn. tomorrow.

DAWKINS DISCUSSED the formation and work of the 21-member Alabama Education Commission.

The commission's report and recommendations for meeting school needs will be presented at the organizational session of the Legislature next January.

Following Dawkins' address, a panel of school leaders answered questions from the audience.

V. C. Helms, superintendent of Lee County schools, presided over the morning session.

Members of the panel were Rep. Dawkins, Moderator O. B. Carter, Eufaula city school superintendent; Rep. McDowell Lee of Barbour County and a member of the Education Commission; Dr. D. P. Culp, executive director of the commission; Dr. E. B. Norton and N. F. Nunnelley.

DAWKINS SAID educators in Alabama have a great potential for electing public officials who will help schools.

"If you have a candidate, you will have to organize to get that man elected," Dawkins said.

"You will have to get people who will work, you will have to go from block to block to elect your candidate," he said.

Organization of efforts in politics "is how you might solve some of your problems," the speaker said.

He said educators would be "shirking your duty" not to use the organizational potentialities of school people.

Dawkins has served as chairman of the Education Commission since it was organized.

The commission, which has formed six special study committees, will go into every phase of state education before making its reports and recommendations for meeting school needs in the next 10 years, Dawkins said.

THE STUDY COMMITTEES were organized earlier this year.

They will make a progress report in April, when the commission will review committee work.

In August, the committees are to have data analyzed with tentative conclusions and recommendations.

By October, the commission plans to have tentative conclusions and recommendations ready for public hearings.

The commission will complete final conclusions and recommendations after public hearings in November, and prepare reports for the Legislature in January, 1959.

The study committees will go into the instructional program, personal in education, buildings and transportation, organization and administration of public schools and financing public schools.

DAWKINS SAID the study committee on financing is one of the most important of the six.

From that committee will come recommendations for paying for school needs in the next 10 years. It is headed by Mervyn H. Sterne of Birmingham

Birmingham
Ala.
News P.6
Wed. 3-26-58
14 d01
Wed.

Associated Press Wirephoto

SCHOOL BURNS—LITTLE ROCK, Ark., Jan. 9—About 350 Negro students were evacuated here Thursday morning when fire swept a rural school. There were no injuries. Firemen said the modern brick building was a total loss.

Integration In Pine Bluff School Put Off

14d(1)

World A.1

Atlanta, Ga.

PINE BLUFF, Ark., — Racial integration of the Pine Bluff city school system was posponed by the Pine Bluff School Board here Thursday.

The gradual desegregation plan, announced by the Board in Sept. 1956 was to begin in the first grade at the opening of the fall 1958 term.

The board, in a statement released Thursday said that since the adoption of the plan "events have occurred within our state which have compelled the board to re-examine the suggested timing for the beginning of the plan.

The Board referred to the school integration controversy at Little Rock and said it was postponing start of school integration here in the interest of peace, harmony and tranquilly between the races.

INTEGRATION PUT OFF BY PINE BLUFF BOARD

Commercial Appeal P.37

Originally Scheduled For Fall Semester

Memphis Tenn.

Mar. 3.21.58

PINE BLUFF, Ark., March 20.—(AP)—The Pine Bluff School Board Thursday deferred temporarily the starting date for racial integration of the city's school system.

Under a gradual de-segregation plan announced in September, 1956, integration was to begin in the first grade at the opening of the 1958 fall school term.

14d(1)

The board said Thursday that, since adoption of the plan, "events have occurred within our state which have compelled the board to re-examine the suggested timing for the beginning of the plan."

Referring to the school integration controversy at Little Rock, the board said it was postponing start of school integration here in the interest of peace, harmony and tranquility between the races in Pine Bluff.

The board said it reiterates "its approval of the plan as promulgated and expects to put the plan into effect at the earliest practical time. It is the intention of the board to re-examine the subject not later than April 1, 1959, in order to determine the practicability of setting a new starting date."

When the plan was adopted in 1956, the school board based the date for implementation on completion of new schools. The board noted Thursday that this construction is under way.

The plan called for integration at the first grade level and for desegregation of "higher grades as fast as conditions in the community" permit.

14d(1)

Commercial Appeal P.8.

FIGHT FAILS—Firemen waged an unsuccessful battle against flames which destroyed the Negro College Station School east of Little Rock yesterday. The school's 350 pupils were evacuated without injury. The fire was believed caused by defective wiring.

Schools Defer Integration Day

PINE BLUFF, Ark. (AP)—The Pine Bluff school board has deferred temporarily the starting date for racial integration of the city's school system.

Under a gradual de-segregation plan announced in September, 1956 in this south Arkansas city of 40,000 integration was to begin in the first grade at the opening of the fall 1958 school term.

Sat. 3-22-58

The board, in a statement said that since adoption of the plan "events have occurred within our state which have compelled the board to re-examine the suggested timing for the beginning of the plan."

Referring to the school integration controversy at Little Rock, the board said it was postponing start of school integration here in the interest of peace, harmony and tranquility between the races in Pine Bluff.

14d0

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Integration In Pine Bluff School Put Off

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3-26-58

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The Board referred to the school integration controversy at Little Rock and said it was postponing start of school integration here in the interest of peace, harmony and tranquility between the races.

Three Years Of Integration Nearing Hoxie Anniversary; Nine Negroes Are In Classes

Number Has Declined From 25 Due To Families Moving Away To Seek Work — Grade Averages Showing Improvement

14d0

By W. CLARENCE ADAMS

Special to The Commercial Appeal

Commercial Appeal p17

Sat 4-5-58

HOXIE, Ark., April 4.—In less than three months, officials of the Hoxie public schools here will mark up the third anniversary of integrated classes.

Although enrollment in the school system dropped to less than 600 during the turbulent period following the integration decision in June, 1955, it now exceeds the 1,000 mark. The Hoxie school system was the first in Northeast Arkansas to start integrated classes.

Today, the Hoxie public schools have nine Negro students enrolled, four in the elementary division and five in the junior and senior high divisions.

Memphis, Tenn

When the first term of integrated classes started in July, 1955, a total of 25 Negro students enrolled, ranging from first and second graders in the elementary section to those in the high school division.

Families Move Away

The number has declined, officials said, due to families with the largest number of Negro students moving to other localities in search of work.

One family with seven students moved out of the district. Another family reportedly moved to Michigan.

Townsmen said the families moved of their own accord.

Of the nine students now remaining, only three families are represented.

The Hoxie public schools, which make up a district of 79 square miles, one of the larger districts in the state, extend south to Alicia, north of Walnut Ridge, west to Portia-Black Rock and east to Sedgwick, on Cache River.

The school system now has only a one wing school and that is at Sedgwick with about 85 pupils and three teachers. Buses now bring students in to the central plant here from throughout the area. The district has five modern buses with 60-pupil capacity.

However, all of the nine Negro students enrolled live in Hoxie, being members of families that have lived and worked in Hoxie and Walnut Ridge all of their lives.

Grades Improving

School officials point out that grade averages of the Negro students are showing greater improvement than previously. Before entering the Hoxie schools attended by white children, the Negro students attended a small two-room school on the eastern outskirts of Hoxie, attended by one teacher.

Much of the progress for the smooth-operating activities of the Hoxie schools is credited to Supt. Phillip R. Shewmaker.

Mr. Shewmaker, who is rounding out his first regular term, thoroughly understands the problems of students and faculty members. Except for a period he spent in the Marine Corps from 1941 to 1945, he has lived on farms and worked in schools in this region.

A visitor to the school might be surprised to hear the faint strains of music coming into the study hall over the loud speaker.

Novelty Wears Off

"This is something new with us but it is working out very well," commented Mr. Shewmaker.

The novelty of having Negro students in classes appears to have worn off, as they come and go in the same fashion as white students.

They play in the gymnasium and eat in the same hot lunch program.

Herbert Brewer, Hoxie farmer who served as chairman of the group that protested integrated classes for several months openly, is now an elected member of the School Board.

However, school officials and segregationists alike are not losing sight of the United States District Court ruling handed down by Federal District Judge Albert L. Reeves at Jonesboro Jan. 9, 1956, which prohibits interference with officials of the school in carrying out their duties.

Federal Judge Thomas C. Trimble of Little Rock first issued a temporary order Oct. 14, 1955, at Little Rock, restraining segregationists from interfering with operations of the schools here.

Arkansas Integration Plan Urged

14d0

LITTLE ROCK, Ark., April 7 (AP)—A plan under which an interracial committee would advise Arkansas school districts on the speed of desegregation was outlined today by insurance executive Herbert L. Thomas Sr. of Little Rock.

Post p.23

It would keep the eight negro students in Central High School here at least until the end of the current term.

Thomas told the State Education Board that the proposal would work on a purely voluntary basis.

Thomas' proposal contains only two points:

Tue 4-8-58

"First I would recommend that we not press for dismissal of the Negro students now enrolled in Central High School until the end of the term . .

Washington DC

"Second, I would recommend that this state establish a committee, or commission, composed of outstanding citizens with Negro representation which would be dedicated to the orderly conduct of the voluntary program (of desegregation.)"

Thomas said committee members would discuss with individual school districts just what constitutes "all deliberate speed" in desegregating the district.

14d(1) 1958 ARKANSAS **AIR BASE**

N.A.A.C.P. BIDS U.S. AID ARKANSAS PUPIL

N.Y. Times 11-24-58 P. 70C

Special to The New York Times.

WASHINGTON, Oct. 23—Clarence Mitchell, legislative representative for the National Association for the Advancement of Colored People, said today that his organization was working with three Federal departments to obtain the admission of the daughter of an Air Force sergeant to a school built largely with Federal funds.

The child is Algerita B. Dallas, 6 years old.

Mr. Mitchell said that in 1956 a contract was made under Public Law 815, which provides Federal aid for the construction of schools in areas having large Federal installations, to build a school in Pulaski County, Ark., for the children of workers on the Little Rock Air Force Base. He said is had been informally understood then that the school would be open to the children of both white and Negro workers on the base.

He estimated the school enrollment at about 1,200, of whom about 100 would have been Negro. All schools actually situated on Defense Department bases are integrated.

But when the school was finally ready to open this fall, he said, Negro children were excluded. The Department of Defense then opened negotiations with the local school board trying to get them admitted.

Mr. Mitchell said he had asked both Arthur S. Flemming, Secretary of Health, Education and Welfare, which administers the impacted areas laws, and the Department of Justice, already concerned with the Little Rock situation, "to intercede."

Not 'Extraneous'

Afro American Sat. 11-1-58 P. 4 Baltimore

The United States Government built a $650,000 school near the Little Rock Air Force Base for children living on the post.

The Air Force turned it over to the Pulaski County School Board to operate.

The school board promptly held that only the children of white military personnel could attend class at the new school.

Children of colored military personnel and civilians are forced to ride a bus 12 miles each day to a ramshackle jim crow school deep in the woods.

The Air Force for some curious and unexplained reason accepted without protest this official nose-thumbing at the Supreme Court's school decision.

Thus the Eisenhower Administration was placed in the position of enforcing the law in Little Rock while winking at its evasion in the suburbs.

It is not a comfortable position.

Deputy Assistant Secretary of Defense for Manpower Stephen S. Jackson made a special trip to Little Rock last week to urge the board to drop its segregation policy.

The board said no.

Although federal funds built the school, the board refuses to "sell" it back to Uncle Sam.

Without the Air Force Base school, Pulaski county schools would lack the necessary five per cent enrollment of federal children to justify receiving $300,000 in federal aid each year.

When Rep. Adam Clayton Powell (D., N.Y.) sought to halt the expenditure of federal money for the maintenance of unlawful segregated schools, President Eisenhower angrily termed his effort "extraneous" and "irrelevant."

It's more than ironic that now the Powell Amendment appears to be the only way left for the Eisenhower Administration to extricate itself from the extremely embarrassing Little Rock Air Force Base school situation.

14d(1) 1958

CALIFORNIA

14d(1) Calif

CAMPAIGN — Veteran of other school bond campaigns, Dr. Isaac H. McClelland, principal of Jordan high school, has been chosen a member of the the City School System's bond information center, established to provide information on the $159,500,000 school bond issue on the June 3 ballot.

Tribune L.A.

4-25-58

McClelland will aid in the distribution of information on building needs to principals, PTA members, and some 3[illegible],000 employees of the 538 Los Angeles schools in order that they may answer questions of parents and other citizens concerning Propositions D. E, and F.

Los Angeles, Calif.

Dr. McClelland has been with the City schools for 20 years, starting at Jordan as a teacher. He was appointed principal in 1955.

14d(1) 1958 CIVIL RIGHTS COMMITTEE TO STUDY SCHOOL INTEGRATION ✓

Hayes Urges Study of Integration

Constitution

Atlanta Ga.

Mar 8 58

p. 8

By **ALBERT RILEY**

Constitution Washington Bureau

WASHINGTON, March 7—Rep. Brooks Hays' proposal for a congressional civil rights committee to study school integration problems was blasted today by two Georgia congressmen.

Reps. James C. Davis and E. L. (Tic) Forrester joined other Southerners in sharply criticizing the plan of the Arkansas Democrat.

"It is strange that a Southerner needs an investigation of our segregation policy," Forrester said. "I do not need any. I already know the evils of integration and am sorry for any Southerner who doesn't.

"As far as I am concerned," Forrester continued, "there will be no integration of our schools now or in the future."

The Hays resolution, introduced in the House yesterday, calls for a bi-partisan committee of seven members of the House and seven members of the Senate to make the study. They would be appointed by House Speaker Sam Rayburn and by Vice President Nixon as President of the Senate.

The committee would be directed to find out what conditions should be met in order to place segregated schools on "a racially non-discriminatory basis."

"I would not support any such resolution as this," said Rep. Davis.

"The vice president is an ardent advocate of integration and was an ardent supporter of the civil rights bill. The speaker of the House supported the civil rights bill and is one of those largely responsible for its final passage.

"Any committee appointed by these two persons could be expected to throw their influence toward integrating the schools."

14d(1) 1958

CHURCH-RUn PAROCHIAL SCHOOLS

Parochial School Issue Awaits South

By GEORGE W. CORNELL
Associated Press Religious Writer

A potential powderkeg involving church-state relations lies almost unnoticed in the Southern moves to subsidize private education.

Authorities said the legal ramifications, striking a sensitive point in American history, could ultimately put church-run parochial schools in line for tax money.

Advertiser

"The situation could bring the whole church-state issue into full cry again," said the Rev. Niel McCluskey, a Roman Catholic education analyst.

P3A

"It seems obvious to me that you can't take state funds and help those in some private schools and deny it to those in others," said the Rev. Dr. Claud Nelson, a Southern-reared Protestant specialist on church-state relationships.

Montgomery
Ala.

CATHOLIC SCHOOLS

About 90 per cent of the approximately 5½ million private elementary pupils at present are in Catholic schools. Lutherans and some other Protestant bodies have sizable parochial enrollments.

The Very Rev. Msgr. Frederick G. Hockwalt, director of the Education Department of the National Catholic Welfare Conference, said any Southern plan for supporting private schooling would bring a reassessment of parochial school status.

Sat. 10-4-58

"Our board hasn't taken up this question officially yet, but I'm certain we'll have to review it," he said. "Whether we would accept any support is a moot point, depending on the circumstances."

In modern times, Protestants and Jews generally have opposed government aid to parochial schools, while many Catholics have favored it in limited forms. All three groups, however, include influential exceptions to the pattern.

The differences arise from varying interpretations of the First Constitutional Amendment, forbidding any law "respecting an establishment of religion"—the so-called church-state separation provision.

IRONIC TWISTS

In this connection, the Southern maneuvers for private schools boiling up in Arkansas and Virginia and simmering in other Southern regions, has produced some ironic twists.

The effects, if eventually successful on a long-term basis, were seen as possibly leading to more Protestant - sponsored parochial schools — perhaps with tax or related hlep.

And at the moment, some Catholic sources, usually absorbed by the needs of parochial schools, were ringingly championing the public schools.

"The nation's pride," the national Catholic weekly America called them and complained that Arkansas' Gov. Orval E. Faubus had "unceremoniously leveled the 'wall' of separation between church and state." Protestants have frequently employed similar phraseology in parochial school controversies.

Father McCluskey, education editor of America, said he thinks most Catholics would "deplore any short-term gains" to their schools—in form of state funds—on the basis of the present "unhealthy and undesirable situation."

FLAGRANT CASE

But should state-supported private education eventually be set up on a workable legal basis, he said, it would be a 'flagrant case of discrimination" to withhold aid to any qualified private school whether all-boy, coed, brick, wooden, parochial or otherwise.

"The choice of parents couldn't be arbitrarily limited that way," he said.

The Constitution, when public schools are provided, has been applied by the Supreme Court to bar direct parochial school support—but to permit indirect aid to parochial children—such as bus transportation and textbooks.

Most state constitutions also forbid direct support of sectarian schools, but a switch from public to private schooling could require modification of the ban under the equal-treatment terms of the 14th Amendment, it was said.

Arkansas specifically rescinded its ban.

Richard Joyce Smith, a New York attorney and expert on the church-state issue, said the latest Supreme Court integration rulings make clear that any legal state-supported private educational system must be wide open.

To avoid the onus of "evasion" of integration, he said, it must have no segregation strings attached, and to meet fair-and-equal demands of the constitution, no favored schools can be singled out for support.

Many Catholic leaders have favored a plan by which "the aid follows the child" wherever he goes to school. Some Southern leaders also have proposed a similar system of tuition grants.

14d(1) 1958 D.C.

NEGROES' TOTAL IN SCHOOLS HIGH

Times-Picayune
New Orleans La.

District of Columbia Figures Announced

Sat. 8-6-58

WASHINGTON (AP)—District of Columbia school officials have estimated that about 73.8 per cent of the school population will be Negroes when the city's schools open Monday.

School Supt. Carl F. Hansen made the figure public at a news conference because of a story in the current issue of U.S News & World Report.

The news magazine said the district school board had estimated a Negro enrollment of 78 per cent.

P. 5

Hansen also denied a statement by the magazine that there had been "a large increase this year in the number of requests by white parents for transfer of their children."

On the basis of estimated total enrollment, Hansen said, there will be 29,737 white students and 83,763 Negroes in Washington schools this year. Last year's figures were 32,003 and 79,111, or 71.2 per cent Negro.

He said actual figures will not be known this year until October, when the annual peak enrollment census is conducted.

School board figures show white enrollment in district schools has been decreasing since 1935. Negro students have outnumbered whites in the district since 1950. Local schools were integrated in 1954.

Wide Disparity Shown in D. C. Pupil Performance

LOC

Post-Times Herald
Washington D.C.
P. D1

Student achievement levels in some District public schools are well above national norms, but other schools are almost at rock-bottom in the achievement scale.

Extreme disparities in the performance of students in various parts of the city were revealed yesterday, when School Superintendent Carl F. Hansen released detailed results of standardized tests administered this year.

Differences between individual schools were marked at all grade levels but assumed most dramatic dimensions in the senior high school years.

Earlier this week, school officials published city-wide summaries that showed the District's over-all rating on standard tests rose substanti-

of Egyptian papyrus records.

After long research he concluded that Roman law was accepted by Egypt and other eastern provinces, not in its Italian form, but in its Hellenistic version.

During World War II Prof. Taubenschlag went to the United States and lectured at the new School for Social Research and at Columbia University. He returned to Poland in 1947.

His principal book is "The Law of Greco-Roman Egypt in the Light of the Papyrus," published in New York in 1944. He founded the Journal of Juristic Papyrology while in the United States and continued publication of the Journal, in Polish and English, after returning to Warsaw.

Maj. Robert E. Moberly, of Pocatello, Idaho, a student Army officer, of a heart attack when swimming; at Ft. Rodman, Mass.

School Figures Indicate

Washington Fast Becoming All-Negro Residential Area

News-Courier
Charleston, S.C.

14d(1) D.C.

By ROULHAC HAMILTON
Washington Correspondent

WASHINGTON—The nation's capital is moving steadily toward the status of an all-Negro residential community, school population figures made public this weekend indicate. Public school officials, asserting that Washington's Negro population has doubled in the past 17 years, said this has resulted in a situation in which an estimated 73.8 per cent of public school population will be Negro this academic year.

Sun. 9-7-58

Last year the percentage of Negro students was 71.2. But officials estimated that when schools open here Monday, there will be a decrease of about 2,200 in white students and an increase of about 4,600 in Negro students, as compared with school population a year ago.

P. 14B

If the figures prove accurate, this would mean that on the basis of an estimated total enrolment of 113,500, there will be only 29,737 white students and a whopping 83,763 Negroes.

Actual totals will not be known until October, when the school system makes it annual "peak enrolment" count.

In the past, school officials have issued no advance estimates of racial breakdowns, but School Supt. Carl F. Hansen made public the estimated figures in reply to a story in the current issue of U. S News & World Report.

The magazine said school officials had estimated the Negro enrolment this year at 78 per cent.

Hanson summoned several hundred Washington teachers into weekend session to discuss the problems he admitted have resulted from integration of the national capital's schools and from the changing character of neighborhoods as white residents flee to the suburbs in the face of growing Negro population.

A dozen other meetings were slated to be held during the next few days for discussion of the problems.

Negro enrollment continues to rise in nation's capital

Star News
Birmingham Ala.
Sun. 11-2-58

WASHINGTON, Nov. 1—(AP)—Negro enrollment in District of Columbia public schools is now 74.1 per cent, a percentage rise of 2.9 since a year ago, School Supt. Carl F. Hansen reported Saturday.

An October count showed that there are 5539 more Negro students than last year, for a total of 84,650. The number of white students dropped 2434 under last October to a total 29,569 now.

This resulted in a total gain of 3015 students in the system for an overall peak school population of 114,219, Hansen said.

P. 1

STATISTICS showed also that 129 school buildings in the District have more than half Negro enrollments, while 41 have more than half white. Twenty schools have all Negro enrollments and five have all white.

14d(1) D.C.

Hansen said he had no practical explanation for the apparent tendency for a school to be more than 70 per cent either white or Negro in student composition.

Health School, a la 1958

~~P. B.10 Washington~~

Post & Times Herald P. B10 Washington, D.C.

Thurs. 10-23-58

14

Health School

10¢

Gayle Guilmette, in foreground, offers a prayer as youngsters of the new District Health School prepare to eat. The new building has a special dining room for palsy victims, equipped with mirrors so they can watch themselves eat. The school's gymnasim has a wheel chair basketball court. There are 154 physical handicapped children enrolled.

←

Teacher Fabola Gill of the Health School conducts a geography lesson with the aid of a large globe. The school has become so popular that a number of out-of-town families have applied to enroll their children on a tuition-paying basis.

Photos by Bob Burchette, Staff Photographer

14d(1) 1958

D.C.

New Congress Faces Action On Race Issue

Some Don't See Any Room For A 'Cooling-Off'

By Washington Correspondent

14d(1)

News P. 1

Jan. 1-9-58

Charleston S.C.

WASHINGTON, Jan. 8 — The new Congress faces plenty of fireworks on the racial segregation issue, both in and out of public schools.

That has become obvious already, despite the expressed hope of both the Eisenhower administration and congressional leadership on both sides of the party aisles in the two Houses of Congress.

Some congressmen just don't see any room for the "cooling-off" period on rights called for last week by new Attorney General William P. Rogers, obviously speaking for the administration. The congressmen are, incidentally, on both sides of the segregation issue.

SEEKS AMENDMENT

Rep. Adam Clayton Powell (D-NY), the Harlem Negro minister who is the legislative voice of the National Assn. for the Advancement of Colored People, is one of them. He has announced he will seek to attach the Powell anti-segregation amendment to any and all educational legislation.

In this, he has the support of Rep. Charles Diggs (D-Mich.), another Negro member of the House. Diggs told Health, Education and Welfare Secretary Marion Folsom today that the scholarship program for education of scientists and engineers should be free of what he called "discrimination because of race."

Powell has another bill in the hopper. It would diminish the power of governors over state National Guard units, preventing the use of such troops by a governor to support what Powell calls "citizens who are opposing federal law." Powell also would deny federal payments to non-integrated guard units.

LAYS BASIS

A Southerner, Rep. Arthur Winstead (D-Miss.) laid the basis for controversy over the National Guard. He introduced two bills, one of which would prohibit the President from calling the National Guard into federal service except in time of war, threat of invasion, or when requested by the governor or legislature of the state concerned.

The other Winstead bill would prohibit the use of federal troops to enforce federal court orders and state laws.

On another front, Rep. John D. Dingell (D-Mich.) introduced a bill to extend to other types of alleged civil rights violations, or threatened violations, the same type of protection afforded voting rights by the civil rights bill passed last year.

Douglas Preparing Rights Legislation

WASHINGTON, Jan. 8 (AP) —Sen. Douglas (D-Ill) said today he is preparing a new civil rights measure which he expects to introduce soon with bipartisan sponsorship.

A leader in the last session of Congress for a stronger civil rights bill than was passed, Douglas said a recent trip abroad had deepened his conviction "that Congress must again consider added protections for the constitutional rights of our Negro citizens."

"Our country's world position is seriously weakened by our continuing failure in this respect," he said in a statement.

However, administration spokesmen have advocated "a cooling off period" while the new civil rights commission, set up under the legislation enacted last year, studies the problem.

Douglas said Republican and Democratic colleagues with whom he is consulting have not yet decided on the exact form of the measure they plan to offer.

But he said he hoped it would include, with "more clearly defined provisions," a section deleted from last year's bill under which federal court injunctions could be obtained to protect civil rights in general.

"It also should include some additional aids and inducements to full compliance with the 14th Amendment in all parts of the country," Douglas said.

Officials Let George Do It, But Can't Pay

Herald, Miami, Fla. P. 1D

Sighted School, Painted Same; No Charge--No Ulcer, Either

Jan 1-12-58

14d(1)

WASHINGTON, D. C. —(AP)— George T. Smith says he had to get the Harrison Elementary School "off my mind"—so he painted it.

SMITH

School officials said they didn't authorize the work and can't pay for it.

"I got the idea last October," the 30-year-old Washington painter said. "I was driving by the school with my wife, and I said I was going to paint that school. I meant I'd bid on it sometime.

"But, the idea kept coming back in my mind. It said 'Paint it.' and I answered 'paint it?' Yes, it said, 'Paint it for nothing.' And I said 'Oh, no, not for nothing.'

"I was talking to myself and it kept coming back. It stayed on my mind every day until mid-December. I was getting an ulcer. I went to a doctor. He said I was worrying, and I knew then I had to get that school off my mind."

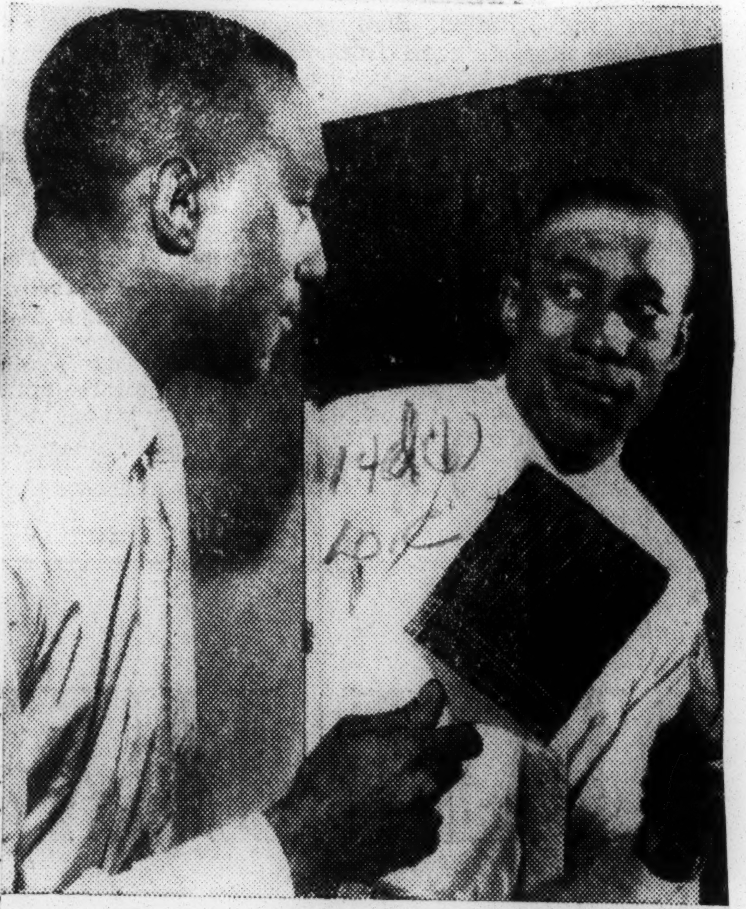
So Smith started to paint the outside woodwork trim and doors. He even worked Christmas Eve and New Year's Eve.

When someone at the school mentioned they didn't know he was coming to do the work, Smith said "oh, well, you know how the government is."

John Riecks, assistant school superintendent in charge of buildings and grounds, said:

"We never hired him. We figure the job would have cost between $1,000 and $1,200. It was a very good job, but we can't pay for it."

Smith said he doesn't plan to do any more unasked-for painting. "But," he added thoughtfully, "I guess if it came in my mind again and began worrying me like that, I'd do it again."



14d(1)
40

Associated Press Wirephoto

JUST HAD TO PAINT THAT SCHOOL: George T. Smith reflects on the work he did—without thought or desire for payment—on the Harrison Elementary School in Washington. He confessed yesterday that it was he who had set up ladders, hired an assistant and painted the building. Officials, pleased, apparently assumed he had been hired for the job. But no. He had worried about the appearance of the school so long it was affecting his well-being. His daughter, Gayle, 9, had helped keep his secret.

Times P. 26

Jan 1-13-58

New York N.Y.

Corning Calls Desegregation 'Most Significant Problem'

Post + Times Herald P.A.9

Mon 2-24-58

Desegregation of Washington's public schools was "the most significant, far-reaching and difficult problem" during retiring School Superintendent Hobart M. Corning's 12-year tenure in office, he said in his final report to the District Board of Education.

He regards the achievement as "tremendously successful," Corning told reporters at a news conference held on the report, to be released today.

The 63-page survey noted that "relationships among all the people of all races and varying economic and cultural backgrounds in the public schools are developing with remarkably good results because of the splendid cooperation and effective work of teachers and officers aided by the constructive efforts of the community.

14(a)

Washington D.C.

Cites Present Goal

"The goal now," Corning added, "is that every student shall have the best possible opportunity for an education consistent with his ability and interest. To that end the emphasis is now and should continue to be upon the improvement of education in the District of Columbia public schools."

The Superintendent said that the desegregation process which got under way in the fall of 1954 was "somewhat difficult" because the Negro Division II schools had been staffed completely by Negro personnel since 1906.

"This meant," he said, "that at the time of desegregation there was practically an equal number of members of the officers and teaching staffs of both races to be considered in the overall reorganization plan, a circumstance which did not exist in any other city in the United States.

"In addition to this problem the public schools of the District of Columbia were faced with an increased enrollment in which the Negro membership had increased steadily."

When he came to Washington 12 years ago, Corning reported, the school enrollment of 88,502 included 56 per cent white students. Six years later white students represented 47.6 per cent of a total enrollment of 96,936. This year's total of 111,114 includes 28.8 per cent white students.

'Striking Change'

Corning said this "striking change" was due to the fact that Washington "like most other large American cities has been experiencing a considerable migration to its suburbs."

"Most of this migration," he noted, "has been composed of white families and during the same period, Negro families have been moving into the city, mostly from the deep South."

Corning noted these other significant changes which have taken place during the past 12 years:

- The number of teachers in District public schools has increased by 911 to its present total of 4109.
- The pupil-teacher ratio in Washington classrooms has dropped from 36 to 1 in 1946 to 33.4 to 1 at present, and a 30 to 1 goal is in sight.
- Sixty-two new schools or school additions have been completed, and 17 more are under construction.
- Annual education expenditure per pupil in average daily attendance has grown from $177.12 in 1946 to $340.59 last year.
- The total school budget is $48 million this year, compared to $16.8 million 12 years ago.
- Average teacher salaries have increased from $2705 to $5364 during the 12-year period.

Other Changes Noted

Corning also cited such educational accomplishments as the development of formal curriculum guides in many subjects, institution of in-service training programs for teachers, last summer's successful remedial reading program for elementary children and the establishment of the 4-track system of ability grouping in senior high schools.

"The advances are due to the cooperative effort on the part of the superintendent's administrative staff, the professional staff and other employes, various community agencies and individuals, the Board of Education, the Commissioners, the Congress," he said.

Much remains to be done, however, before the District fully meets its educational responsibilities, Corning indicated. But he warned that too much "negative criticism" of the schools is being voiced.

Object Lesson

14(a)

Those who wish to learn from the District of Columbia's experience with school desegregation would do well to pay attention to some remarks on the subject made Sunday by Walter Tobriner, president of the Board of Education. "I thank goodness," he said, "that we were smart enough, or shall I say lucky enough, to avoid the gradualism in integration which so many people urged upon us."

Post P-A-12

Problems may differ in other communities, and other formulas may better apply. But Mr. Tobriner is quite right in believing that the success of the District desegregation program—the absence of any serious opposition or friction—is directly attributable to the decisiveness with which it was planned and the promptness with which it was carried into effect.

Tue. 4-8-58

This is, of course, a very different impression of the District's desegregation experience from that sedulously spread among gullible Southern communities by the Davis Subcommittee which conducted an "investigation" of Washington schools in 1956. The Tobriner version has the virtue, however, of being rooted in reality. Despite the appalling disparity brought to light for the first time by desegregation between the achievement levels of white and colored students—a consequence of segregation, not of desegregation—Mr. Tobriner is amply justified in concluding that "under integration today a greater number of our children are getting a better education than before."

Washington, D.C.

As a School Board member when desegregation was undertaken and later as president of the Board, Mr. Tobriner is entitled to a substantial share of the credit for the success of desegregation. We hope heartily that the District Court judges will ask him to continue at his post for another term and that he will consent to do so. The difficult problems which lie ahead in completing school integration, raising education standards and undertaking a major program of school construction call urgently for his experience and understanding.

14d(1) 1958 D.C.

(6) 14d(1)OE

Douglas urges aid for desegreaation

Afro American

Baltimore Md.

Dec. 12-17-58

P.9

WASHINGTON (NNPA)—Two abinet members have been rged to recommend that the dministration's legislative pro- am include proposals for aid- g in the changeover from seg- gated to desegregated public hools.

The request for consideration o such proposals was made by Sen. Paul H. Douglas (D., Ill.) to Attorney General William P. Rogers and Dr. Arthur S. Flem- in , Scretary of Health, Edu- cation and Welfare.

If Senator Douglas's sugges- tion is favorably considered, these two Cabinet members would submit the proposals to the President for inclusion in his State of the Union message which he will send to Congress at the beginning of the session.

* * *

SENATOR DOUGLAS asked Mr. Rogers and Dr. Flemming to recommend to Mr. Eisenhower that he ask Congress for legislation providing for technical assistance ($2.5 million a year for five years), financial grants ($10 million a year for five years) and administrative procedures to help local governments to put desegregation plans into successful operation.

The two Cabinet members also were asked to suggest that President Eisenhower recommend to the Congress legislation embodying Part III which was stricken from the Civil Rights bill passed it in 1957.

Part III would authorize the Attorney General to bring civil rights suits to enjoin threatened violations of constitutional rights other than the right to vote.

Mr. Rogers has already indicated that he plans to ask Congress for additional civil rights legislation.

* * *

DR. FLEMMING has declined to discuss any of the recommendations he is making to the President.

Senator Douglas also released a statement he submitted in support of the bill from Marion A. Wright, a lawyer of Linville, N.C., and past president of the University of South Carolina Alumni Association.

"The basic logic of the proposal," wrote Douglas, is a greater acceptance of Federal responsibility for ending denials of equal protection of the laws and fuller cooperation with state and local governments for that purpose."

* * *

HE SAID the bill to aid desegregation "would foster compliance with the Constitution and the historic decisions of the Supreme Court" through "information, education, conciliation, persuasion, financial assistance and desegregation plans developed with the fullest possible local participation."

Mr. Wright, in his statement, said the legislation is needed by "men and women of every creed and color in order that they may walk unafraid, may think, speak, may write in that freedom from reprisal which is the birthright of every American citizen."

Area Pupil Plan Hit by Attorneys

Negro Lawyers File a Protest In Arlington

By Robert E. Baker

Staff Reporter

Post

14d(1)OE

Washington D.C.

Dec. 12-23-58

Negro attorneys launched an attack yesterday on the Arlington School Board's "pupil assignment plan" which is designed to force the United States Supreme Court to lay down ground rules for such programs.

In a brief filed with the Fourth U. S. Circuit Court of Appeals in Richmond, the attorneys struck hard at the method used successfully by the Arlington School Board last September to reject the applications of 26 Negroes to white schools.

The detailed 50-page brief in which the attorneys cited 68 cases to support their arguments, generally contends that pupil assignment plans are valid in desegregation cases only if their criteria are applied to all pupils, regardless of race.

P.21

The brief attacked only the Arlington plan as ruled upon by Federal District Judge Albert V. Bryan. But it was clear the attorneys were aiming for a Supreme Court decision to back up their contention, thus setting ground rules to head off a rash of litigation over assignment plans throughout the South.

The Supreme Court has refused to judge assignment plans in North Carolina and Alabama, other than to rule, in effect, that they are valid on paper, and Negroes must wait to see if they are administered fairly. The Arlington case would be the first to go to the Supreme Court with the charge the plan was administered unfairly to maintain segregation.

Post

The Arlington case dates back to 1956, when Judge Bryan ordered a general end to mandatory segregation in the county schools. In September, 1957, he ordered the School Board to admit seven Negroes to white schools but postponed the effectiveness of the order pending an appeal. Two Negroes dropped from the case.

Dec. 12-23-58

This year, 30 Negro pupils, including the five left in the original case, applied for admission to white schools. The School Board maintained its assignment powers had been taken over by the state. When the case came to trial in September, the board announced that on Aug. 28 it had set up five criteria for assigning the Negroes to white schools, and that none had passed.

The five criteria included attendance areas, overcrowding at Washington-Lee High School, academic achievement, psychological problems and adaptability.

Upheld on 3 Counts

Judge Bryan upheld the School Board's rejection of 25 applicants on the grounds of attendance areas, overcrowding and academic achievement. He held there was insufficient evidence to support the psychological criterion, but the seven pupils in that category had been rejected for other reasons too.

The judge ruled the adaptability standard was valid for only one of the five remaining pupils. He then ordered the four succesful applicants enrolled in Stratford Junior High School on Feb. 2.

In their appeal, attorneys for the rejected Negroes noted that only their clients were subjected to interviews and the application of criteria.

"The different treatment accorded to appellants was not part of a 'plan' designed or intended to facilitate and accommodate a 'social change,'" they said. "On the contrary, it operated, as it was intended, to maintain the status quo."

14d(1)

Discriminatory treatment, they said, violates the due process and equal protection clauses of the 14th amendment.

Contend Judge Erred

The attorneys contend that Judge Bryan was wrong in treating the case as an administrative review of the School Board's action. The judge could justify that position, they said, only if the School Board action was based upon a "fair hearing."

Instead, they said, the School Board adopted its criteria and rejected all Nego applicants in a "hastily called" closed session at night.

The judge should have made an independent evaluation of their claim that the School Board was denying the rights of the Negro applicants, the attorneys said.

Of the attendance area standard, the attorneys said the fact that 100 Negro pupils living outside the Hoffman-Boston School (Negro) district are nevertheless assigned there "cannot be squared with any concept of 'good faith compliance.'"

Called "Rationalization"

As for overcrowding at Washington-Lee High School, the attorneys called this category "a mere rationalization for continued segregation."

They called academic achievement "an attempted justification for continued racial segregation," and pointed out that white children with achievement levels lower than Negro applicants were not excluded from the white school.

By approving the academic achievement criterion, the attorneys said, Judge Bryan restricted the right not to be racially segregated to superior Negro students.

"The State is not required to treat as alike the genius and the imbecile, "for they are different in fact," the attorneys said, "but the State may make no distinctions in its treatment of either geniuses or imbeciles of different races.

"To exclude these Negro children from the benefits of superior schols, for the reason that, as victims of inferior segregated schols, they have not as a group reached the level of achievement of the more privileged race, is to forever consign them to an inferior education in segregated schools."

The attorneys contended the adaptability standard was racial and based on "a theory of the supremacy of the white race."

✓

Bill in Delaware would close down 'occupied' schools

News p. 1

B'ham Ala.

Sat. 1-11-58

DOVER, Del., Jan. 11—(AP)—A Delaware legislator, in an effort to subvert federal enforcement of school integration in his state, has introduced a bill that would permit closing of any school where troops are stationed.

14d(1)

Rep. Charles P. West (D., Sussex County) filed the proposed measure Friday night. It provides that where the National Guard or any other military force is employed by the U. S. government a local school board could shut the institution and transfer pupils elsewhere.

Most of Delaware's schools, except in and near Wilmington, are still segregated. Efforts to integrate in some places have been resisted.

Delaware Told To Submit A Mixing Plan

News & Courier

p. 1

Thurs 5-29-58

PHILADELPHIA (AP) — The 3rd U.S. Circuit Court of Appeals Wednesday upheld a District Court decree and ordered prompt submission of a plan for racial integration of public schools in Delaware.

Charleston, S. C.

Warning the State Board of Education and the state superintendent of public instruction that they "stand in danger of contempt proceedings," the blunt opinion written by Chief Judge John Biggs said state officials "may not delay further in the formulation and submission of such a plan . . . the time for hesitation is past and the time for definitive action has arrived."

14d(1)

Delaware

"The law of the Supreme Court of the United States must be obeyed," Biggs wrote.

The single opinion disposed of seven similar appeals filed by the state board, the state superintendent, and the members of seven local school boards in Kent and Sussex counties.

In two separate rulings in 1957, the U.S. District Court in Delaware acted favorably on the seven summary judgments requested by parents of Negro children in the various school districts. The court ordered the local boards to submit to state officials within 30 days a plan for integration and gave the state an added 30 days in which to submit its plan to the court. The lower court also ordered the state officials to draw up a plan for integration of the entire state and to send copies to all segregated districts within 45 days thereafter. The target date for integration was set for the autumn term of 1957.

In the course of subsequent litigation and the current appeal, the plans were never drawn.

Wednesday's opinion ordered the lower court to set a new date for the prompt submission of the plans for integration.

Delaware race ruling upheld; speed ordered

News

p. 6

PHILADELPHIA, May 29—(AP)—Appeals against a federal court order to hasten racial integration in public schools in the state of Delaware were denied yesterday in a strongly worded opinion by the Third U. S. Circuit Court of Appeals.

14d(1)

Birmingham

Ala.

The decision, written by Chief Judge John Biggs, warned school officials they "stood in danger of contempt proceedings" and said "the time for hesitation is past and the time for definite action has arrived."

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THE STATE BOARD of Education, the state superintendent of public instruction and members of seven local school boards had appealed 1957 District Court rulings enjoining them from refusing to admit eligible Negro students to public schools and ordering them to set up a plan for integration.

Thurs.

5-29-58

The lower court later ruled the state bodies were to set up a plan including not only the seven school areas in the litigation, but every non-integrated public school in the state.

The case originally got into the federal courts on a petition by Negro parents for a summary judgment against the school officials.

In every respect, the appellate court upheld the ruling of the lower court and ordered it to set up a new and "prompt" target date for the integration plan. The original date was the Fall term of last year.

School Mixing Decree Upheld

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14d(1)

Times Picayune

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p. 18

New Orleans

La.

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Fri.

5-30-58

Delaware Loses Appeal On School Integration

Star Thursday.

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14d(1)

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5-29-58

Plan Ordered Set Up

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Washington D.C.

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In every respect, the appellate court upheld the ruling of the lower court and ordered it to set up a new and "prompt" target date for the integration plan. The original date was the fall term of last year.

Powerless to Enforce

The appellate court also took note of State officials' defense that they were powerless to enforce integration on unwilling local boards without the power of injunction.

The court said it doubted if the local boards would refuse to comply with the plan, once the State promulgated it. However, Judge Biggs wrote, "If a specific order of the court below be required" to compel local board compliance, "we may assume that the court below will enter an appropriate decree. . . ."

P. A-2

The single opinion dispensed with the seven separate but similar appeals.

Washington D. C.

George R. Miller, jr., State superintendent of public instruction, said at his home near Dover, Del., last night he had anticipated the decision and had drawn up a plan for integration. He declined to disclose the plan before it is submitted to the State board at a meeting tentatively scheduled for next week.

Washington D.C.

Court Lifts Rule On Integration

Philadelphia Inquirer

The U. S. Court of Appeals for the Third Circuit yesterday lifted its mandate that had directed the Delaware U. S. District Court to set dates for the integration of schools in seven school districts in the State of Delaware.

Philadelphia Pa.

The court took this action to permit George R. Miller, Jr., Delaware State Superintendent of Public Instruction, and boards of the seven districts to file writs of certiorari with the U. S. Supreme Court seeking to set aside the court-ordered integration.

ONE JUDGE DISSENTS

Fri. 7-25-58

Chief Judge John Biggs, Jr., and Judge Herbert F. Goodrich concurred in yesterday's action. Judge Harry E. Kalodner dissented.

p. 4

The mandate of the Circuit Court was issued June 30, after the Appellate Court had upheld a decision of the Delaware U. S. District Court ordering school authorities to set up plans for integration.

A petition for a stay of the mandate was filed July 19 by Delaware Deputy Attorney General F. Alton Tybout.

DEADLINE ON FILING

The court ruled yesterday that the mandate is lifted only if school authorities file their writs with the Supreme Court on or before Aug. 14.

The school districts are located in lower Delaware. Among them is Milford, where heated racial trouble erupted three years ago when Negro children enrolled at an all-white school.

Delaware Told to Integrate

Inquirer

Integration of seven school districts in two counties in the State of Delaware was ordered yesterday in an opinion filed here by the U. S. Court of Appeals for the Third Circuit.

Philadelphia Pa.

The 15-page opinion written by Chief Judge John Biggs, Jr., and concurred in by Judges Herbert F. Goodrich and Harry E. Kalodner, declared:

Thurs 5-29-58

"The members of the State Board of Education and the State Superintendent of Public Schools may not delay further in the formulation and submission of such a plan (of integration). They must prepare and submit it promptly.

P. 8

LAW MUST BE OBEYED

"The time for hestitation is past and the time for definitive action has arrived. The law as enunciated by the Supreme Court of the United States must be obeyed by all of us. If we do otherwise we will destroy our present form of constitutional government."

The opinion backed up an order of the U. S. District Court which, on April 1, 1957, requested the seven school district boards and the State Board of Education to file plans for integration.

An appeal was made in each of the seven cases by the school district involved, the State Board of Education and George R. Miller, Jr., State Superintendent of Public Instruction.

CLAIMED SOLE RULE

The State Board of Education argued that the powers necessary to administer the schools rest solely in the local district school board under Delaware law.

The seven school districts in Kent and Sussez counties affected by the integration order were Clayton School Districts 97 and 119; Milford; Greenwood; Milton; Laurel, and Seaford. The remainder of the State's school districts had previously integrated.

14d(1) 1958

DENVER

✓

Denver Principal To Be Speaker

MARSHALL, Texas — The third annual Women's Day Convocation speaker at Bishop college will be the only Negro principal in Denver's Public School System.

She is Mrs. Jessie Whaley-Maxwell who will speak Tuesday, May 13.

Defender, P. 1

Mrs. Maxwell is a Bishop alumna, having earned the bachelor of science degree in science in 1927. She also holds the bachelor of music degree from the Lamont School of Music, Denver, and the master of arts degree from the University of Denver. Presently, Mrs. Maxwell is enrolled in the doctoral program of the University of Denver.

Nat. 5-10-58

Chicago Ill

She has the further distinction of having served on the University of Denver faculty for two summers. She has served in the public school system of Denver for 15 years, and currently serves as principal of Whittier Elementary school.

✓

Douglas' Aid To Schools Would Protect Minorities

By ROBERT E. THOMPSON

14AD

WASHINGTON — (INS) — Sen. Paul Douglas (D) Ill., proposed yesterday $212,000,000 in financial aid and increased authority for the Attorney General to achieve school desegregation and equal protection for minorities.

Defender

The Illinois Democrat said he would introduce a civil rights bill designed to safeguard constitutional liberties "in the field of public education and to authorize preventive relief against denials of equal protection of the laws on account of race, color, religion, or national origin."

P. 1

Chicago Ill.

The Douglas proposal — co-sponsored by seven other Senate Democrats and two Republicans, and two House Democrats — resurrects a provision knocked out of last year's civil rights law by the Senate.

Def. 2-22-58

At the time, Sen. Richard B. Russell (D) Ga., claimed it would give the President power to enforce school integration in the South at "bayonet point."

PREVENTION

The controversial provision would empower the Attorney General to bring "preventive" action in cases where states or communities failed to carry out the Supreme Court's school desegregation order or where a citizen was denied equal protection before the courts.

Douglas said his bill would strike at state laws designed to "padlock the Negro out of court in his efforts to maintain suits to carry out the law of the land."

The Douglas bill would:

—Grant the Secretary of Health, Education and Welfare Authority to furnish officials and private citizens "of good will" the tools with which to accelerate equality for all youngsters in public schools.

$2 MILLION GRANT

—Grant $2,500,000 a year for five years for the compilation and distribution of data and surveys, the appointment of advisory councils and the "development of community understanding for desegregation programs that are in harmony with the Constitution."

—Provide $40,000,000 a year for five years in grants for teacher training and hiring, school construction and other measures in areas where a lack of adequate buildings and physical equipment are the major barriers to integration.

The provision also would extend grants to local communities, such as those in Georgia and Virginia, which face a loss of state funds if they integrate.

—Empower the new secretary to initiate the development of desegregation plans to accomplish the court's objective.

—Confer the power to file compliance actions in school cases in connection with plans approved by the new secretary.

—Authorizes preventive action for denial of equal protection of the laws.

Local 'Loss' Seen in U. S. School Aid

Post & Times Herald P. A6

14AD

The Chamber of Commerce of the United States charged yesterday the District and 14 states would pay out $28 million more than received during the first year of the Administration's proposed program of Federal aid to education.

Washington D.C.

"Losses would mount substantially for each succeeding year of the 4-year program," the Chamber added.

Times 3-11-58

The statement compared schcool aid allotments with the estimated Federal taxes collected in each state to pay for the $147-million program.

The District would receive $510,000 during the first year and residents would pay out $1,060,000, for a net "loss" of $550,000, the Chamber said.

Maryland would receive $2,110,000 and pay out $2,800,000 in taxes, for a loss of $690,000.

Virginia was listed as one of the 34 states which would come out ahead under the proposed program. It would receive $2,980,000 and pay out only $2,470,000 for a gain of $510,000.

SCHOOL AID LOSSES SEEN FOR 14 STATES

Times P. 8

WASHINGTON, March 10 (AP)—The United States Chamber of Commerce said today that fourteen states would contribute more money than they would receive under the Administration's proposed school aid program.

New York N.Y.

The fourteen states and the District of Columbia would pay out about $28,000,000 more in taxes for the program than they would receive in the first year of operation, the chamber figured. Losses would rise in succeeding years, it said.

The $28,000,000, the chamber said, would go to thirty-four states and the territories as part of their share of the $147,000,000 to be distributed.

Under the school aid bill, Federal money would be allotten on the basis of school-age population.

Times 3-11-58

Following are the net losses as computed by the chamber:

Connecticut, $1,660,000; District of Columbia, $550,000; Massachusetts, $1,520,000; New Hampshire, $60,000; New Jersey, $2,270,000; New York, $8,540,000; Pennsylvania, $1,420,000; Rhode Island, $390,000; Illinois, $3,170,000; Michigan, $1,310,000; Ohio, $1,440,000; Delaware, $590,000; Maryland, $690,000; California, $4,68,000, and Nevada, $60,000.

SCHOOL AID URGED FOR CHURCH UNITS

Parochial Institutions Should Get Government Grants, Catholic Parley Told

By WILLIAM G. WEART

Special to The New York Times.

14AD

PHILADELPHIA, April 8—A Roman Catholic educator urged today that parochial schools throughout the country share in whatever state and Federal aid the public schools receive.

Times P. 60 M

The Rev. Joseph Tinnelly, dean and professor at St. John's University Law School, Brooklyn, made the plea in the keynote address at the fifty-fifth annual conference of the National Catholic Educational Association.

Wed. 4-9-58

"The state which imposes taxation for secular education should provide that education to all without question of religion," Father Tinnelly declared.

"Let America see the need and the justice of this, and we may depend upon our beloved country to find means of aiding Catholic parents without sacrificing either religious principles or constitutional safeguards," he said.

New York N.Y.

Some 10,000 delegates are attending the four-day convention which has as its theme "The right to educate. The role of parents, church and state."

The delegates include religious and lay teachers and officials representing Roman Catholic educational institutions at all levels from all sections of the country.

Other Groups Meeting

Groups meeting in conjunction with the main conference are the Catholic Audio-Visual Educators, Catholic Architects, Catholic Business Association, National Catholic Kindergarden Association, Diocesan Directors of Vocations, Society of Catholic College Teachers of Sacred Doctrine and the Sisters of Mercy.

Noting that 13 per cent of the country's elementary school pupils attend schools supported by Roman Catholics, Father Tinnelly said:

"One might expect this country to welcome such assistance to remove obstacles and to offer financial as well as moral support."

He pointed out that in some states church schools share in grants for lunches, bus transportation, textbooks and other subsidies. Such subsidies, he contended, are manifestly designed for the health and welfare of youth, regardless of the school attended.

Father Tinnelly told the educators that Catholic education, like public education, needed a "profound re-examination."

House passes school aid, race bar nixed

News P. 9

WASHINGTON, April 24—(AP)—The House has passed a special school aid bill after rejecting a move to deny such federal help to racially segregated schools.

B'ham Ala.

ACTING BY VOICE VOTE, the House yetserday sent to the Senate a bill to continue for three years a program providing aid in construction and operation of schools in areas where an influx of federal workers has overburdened classroom facilities.

An estimated 3300 school districts benefit under the legislation which is expected to cost $211 million in the coming year.

Before the final vote, the House rejected 132-25 an amendment to deny such aid to districts which have partially segregated schools or have taken no steps to integrate in compliance with Supreme Court rulings.

Thurs. 4-24-58

REP. ROOSEVELT (D., Calif.), who sponsored the amendment, said it would be wrong to provide federal funds for segregated schools. But Chairman Barden (D., N. C.) of the House labor committee said the House should not allow what he called a side issue to jeopardize chances for enacting the measure.

$3 million to go to Mississippi, Alabama

By News Washington Bureau

WASHINGTON, April 24—The House vote to extend the school aid program means some $2,872,000 a year to Alabama school systems, covering about 41,800 pupils, and $660,000 to Mississippi schools, covering more than 9100 pupils.

News P. 9

14AD

Reps. Carl Elliott and George Huddleston Jr. led an unsuccessful fight to get $8300 a year in the federal aid funds for the Tarrant school district. Enrollment there has been increased by more than 150 students due to the operations of Hayes Aircraft Co. at Birmingham Municipal Airport.

B'ham Ala.

Their amendment to the bill takes care of the Tarrant situation lost by only 10 votes. Both legislators noted that Republicans were solid in opposing their amendment.

Thurs. 4-24-58

Biggest beneficiaries of the school aid bill in Alabama are the Huntsville City Board of Education, $271,000; Montgomery County Board of Education, $380,000, and the Mobile County Board of Education, $622,000.

Most of the Mississippi school districts that get funds under the program are in and around Biloxi, Pascagoula, Gulfport and Greenville.

Congress Asked to Withhold Funds From All Jimcro Schools by Naacp

1449

State Press

P. 3

Fri. 3-14-58

Little Rock, Ark.

The National Association for the Advancement of Colored People has again urged Congress to withhold federal funds for education from segregated schools.

Testifying before the Senate Committee on Labor and Public Welfare here on March 5, Clarence Mitchell, director of the NAACP Washington Bureau, cited the continuing defiance of the United States Supreme Court ruling against segregation in public education by political leaders of Alabama, Arkansas, Georgia, Florida, Louisiana, Mississippi, South Carolina and Virginia.

"The question arises," he said "can the officials of these states be trusted to handle any kind of federal assistance for the education of all of our citizens without firm anti-segregation safeguards? The answer to that question is 'No.'"

The NAACP, Mr. Mitchell told the committee members, asks "that no state be given any funds unless appropriate officials pledge that such money will be spent in conformity with the requirement of the U. S. Supreme Court decisions of May 17, 1954, and May 31, 1955 in the school desegregation cases."

Mr. Mitchell read into the record a letter which NAACP Executive Secretary Roy Wilkins wrote to Marion B Solsom, Secretary of Health, Education and Welfare, on Jan. 3. In this letter, Mr. Wilkins charged:

"Two million Negro children continue to be deprived of their right to equal access to the best training their communities provide. Education and training in the sciences for the generality of students are now deemed inadequate to meet the challenge to national security, and the shameful inadequacies of the illegally segregated Negro schools impose an even more severe handicap upon the national effort."

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ntegration Try Killed In House

Appeal P. 1

Roosevelt Seeks to Deny Segregated Schools Federal Aid

Memphis, Tenn.

United Press

WASHINGTON, April 23.—The House Wednesday overwhelmingly rejected an attempt by Representative James Roosevelt (D., Calif.) to write an anti-segregation amendment into a bill to continue Federal aid to schools near large Government installations.

1449

Once Representative Roosevelt was rebuffed, the House quickly shouted its approval of the measure. It would authorize an estimated 207 million dollars in Federal aid annually to schools crowded by the children of Federal workers and servicemen.

The bill now goes to the Senate. It would extend until at least June 30, 1961, the school aid program that has been in effect since 1950.

Thurs. 4-24-58

Left Hospital Bed

Representative Roosevelt, eldest son of the late President, left his bed in nearby Bethesda, Md., Naval Hospital to offer his provision. He has been undergoing treatment for an ulcer.

His amendment would have denied Federal aid to any Southern school district that had taken no steps to comply with the Supreme Court's 1954 ruling against school segregation.

The proposal was rejected by a standing vote of 132 to 25 after the bill's sponsors warned that its adoption would "jeopardize" the whole measure. Opponents of the amendment included some members normally regarded as civil rights advocates.

'Minimum Step'

Representative Roosevelt called his proposal "a minimum step to help bring about compliance" with the Supreme Court ruling. He said Congress had a "responsibility" to see to it that Federal aid was not used "to thwart the law of the land."

Of the total 207 million dollars authorized by the bill, 140 million dollars would be for operating expenses and 67 million dollars for construction in the 3,300 school districts eligible for the aid.

House Defeats Mixing Rider On School Bill

1449

WASHINGTON (AP)—The House Wednesday overwhelmingly defeated an antisegregation amendment before passing and sending to the Senate a limited federal school aid bill.

News & Courier

The bill was passed by voice vote. The integration amendment lost by a standing count of 132-25 after brief debate.

P. 1

The bill would continue for three years, until June 30, 1961, the program of federal help for construction and operation of schools in districts where pupil population has been swollen by federal activities. The estimated cost for the coming year is 211 million dollars, with an estimated 3,300 districts sharing in the benefits.

Thurs. 4-24-58

The bill combines two laws first enacted in 1950 and continued periodically since then. One provides for help in constructing schools and the other for operating them. Payments generally are based on the number of pupils whose parents work on federal property.

Charleston, S.C.

The bill would commit the government to permanent responsibility to provide financial help for schools attended by children of persons who work and live on federal property.

A new formula would be established for minimum rates of operating payment to schools, based on the national average cost per pupil for the entire nation and on attendance by children of persons engaged in government activities. In the case of construction, this ranges from 45 to 95 per cent of costs.

The minimum payment next year is estimated at $144.37 per pupil, compared with $151.40 this year and an estimated $151.58 for the 1959-60 school year. However, no district would receive a lower total payment next year than it received this year.

House Blocks School Fund Racial Rider

Advertiser

WASHINGTON (AP)—The House Wednesday overwhelmingly defeated an antisegregation amendment before passing and sending to the Senate a limited federal school aid bill.

P. 1A

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1449

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Montgomery, Ala.

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Federal Aid

The bill would commit the government to permanent responsibility to provide financial help for schools attended by children of persons who work and live on federal property.

Thurs. 4-24-58

The amendment to withhold aid from schools which have partially segregated classrooms or have taken no steps to integrate in complience with Supreme Court rulings was offered by Rep. Roosevelt (D-Calif), who said it would be wrong to provide federal funds to help segregated schools.

Rep. Metcalf (D-Mont)said the integration amendment would kill the bill.

HOUSE UNIT SPURS SCHOOL AID FIGHT

1449

Democratic Bloc Revives '57 Plan of Eisenhower's and Offers New Fund System

~~Federal Aid~~

By BESS FURMAN

Special to The New York Times.

WASHINGTON, April 30—The House General Education subcommittee suddenly approved today the three-year $1,500,000,000 school construction bill that President Eisenhower had sumitted to the last session of Congress.

A few minutes before this surprise move, Representative Steward L. Udall of Arizona introduced an entirely new bill. It called for funds equal to those in the construction bill but would channel the Federal money through the states to the public schools.

N.Y. Times

Both moves were part of a "young Turk" revolt against all forces holding back Federal support for education. The leaders of the group made it clear that if legislative action along any one avenue were stalled, they would try another talk. Representative Udall said that the reporting out of the school construction bill would "clear the decks" to consider other plans.

Thurs. 5-1-58

Taking part with Mr. Udall in today's maneuvers were Representative Lee Metcalf of Montana and Representative Frank Thompson Jr. of New Jersey. All are Democrats.

New York, N.Y.

The Administration did not reoffer its school construction bill this session. Instead, it backed a science-aid bill. Today a spokesman for the Department of Health Education and Welfare said that the Administration still put "first priority" on science aid.

In last year's floor fight, Representative Udall made a last-minute offer to "go all the way with the President" just before a compromise construction bill was defeated, 208 to 203. At that time President Eisenhower insisted on a fund matching formula that would make sure the poorer states received more money. This bill, embodying this formula bill now goes to the House full committee.

New Fund Formula Urged

Today, Mr. Udall also presented Congress with the possibility of a new formula for school, not requiring states to match Federal funds. He did this by incorporating in his new bill, a new approach suggested by one of today's witnesses, Edgar Fuller, executive secretary of the Council of Chief State School Officers.

"A master stroke," Mr. Udall called Mr. Fuller's "land-grant-college" plan. "It would get rid of a lot of sacred cows."

In presenting his proposed solution to the nation's public school needs, Mr. Fuller said that two employes of the Federal Office of Education working for three hours each in a year could do all the bookkeeping necessary to channel the Federal money into the states. He said that such a system would dissolve forever the spectre of Federal control of the schools under the guise of Federal aid.

Mr. Fuller's plan would give each state from the total Federal money appropriated each year "an amount which bears the same ratio to the total appropriation as such state's school age population bears to the total school-age population of all the states."

In many ways it would be similar to the method through which Federal money has been distributed to land grant colleges for sixty years. The Federal funds would simply be added to state funds appropriated for teachers' salaries, facilities and equipment. No Federal agency would have any control or supervision over "personnel, curriculum or program on instruction," according to Mr. Fuller.

Dr. Corma Mowrey, former president of the National Education Associataion, urged a fifty per cent rise in teachers salaries, from an average of $4650 to $7550, in four years, and an average teachers' salary fifty per cent above that of the average salaried worker.

Proposal was supported by Dr. Hazel Davis, associate director of the research division of the a ssociation.

Diggs Says Federal Funds Help Segregated Schools

Defender p.3

Sat. 5-24-58

Chicago Ill.

14d(1)

Congressman Charles C. Diggs, jr. (D-Mich.) has charged that more than $192 million in Federal Aid has gone to segregated school systems under a government program of assistance to school districts crowded by children of military personnel or Federal employees.

In a speech on the floor of the United States House of Representatives, the Michigan representative fought for an anti-segregation amendment to the bill to extend the program. The amendment presented by Congressman James Roosevelt (D-California) would have denied funds for the so-called impact program to segregated school systems. The house defeated the amendment by a vote of 132 to 25 after sponsors of the bill successfully argued that its adoption would jeopardize the legislation.

The house action rejected the Roosevelt-Diggs distinction between the general school aid construction bill and the impacted school measure. Roosevelt had declared that it was imperative for those opposing the use of Federal funds for segregated facilities to support the amendment because of the "shocking do-nothing attitude of the Republican Administration."

He read into the record a letter which Secretary Folsom of the Department of Health, Education and Welfare had written to Roy Wilkins of the NAACP denying the responsibility of the Executive Branch of Government to reserve or withhold such funds to help bring about compliance with the Supreme Court school decision.

Calling this abdication of responsibility, Roosevelt cited an opposite view of federal policy in the executive order prohibiting contractors who do business with the government from discriminating in hiring or firing. He said if the Administration has seen fit to abdicate this responsibility, it becomes even more urgent that the Congress do the job.

Pointing out that the bill, itself, gives recognition to the continuing and permanent responsibility of the federal government to provide federal financial assistance to the construction and operation of schools in areas affected by Federal activities, he said there is an equal responsibility for the Federal Government to see that this financial assistance is not used to thwart the law of the land.

Diggs said that the anti-segregation amendment could not be classified as an anti - Southern meaesure. He said the amendment was aimed at those states which, among other things, have made it a criminal offense to attend an integrated school and that the amendment would apply to only three or four states. He said the question before the House was whether or not officials of such defiant states can be trusted to handle this Federal assistance for the education of all citizens without regard to segregated patterns. According to experience and observation, Diggs said, the answer is emphatically nagative.

Floor Strategy Balked School Bill Amendment

Post + Times Herald p.B3

14d(1)

Fri. 4-25-58

Associat

Southern House members yesterday credited some backstage maneuvering by Rep. William M. Colmer (D-Miss.) with helping to sidetrack efforts to tack an integration-type amendment to legislation providing aid to federally impacted school districts.

The bill, passed by the House yesterday, provides for Federal aid in building and operating schools crowded because of some nearby Federal activity.

In past years when such legislation has been before the House, efforts have been made to amend it to provide that funds will not be available to school districts maintaining segregation.

Colmer, as head of the organization of Southern House members, had the assignment of opposing the amendment.

Southerners said strategy was first to keep all Southern members on the floor during the debate in an effort to defeat the amendment when it was offered.

When the amendment was presented by Rep. James Roosevelt (D-Calif.) it was defeated 132-25.

The next step involved a maneuver to prevent a roll call on the amendment.

Colmer said he feared that if a roll call vote were taken the amendment would be adopted. Such a vote can be obtained in the case of a defeated amendment only on a motion for recommittal with instructions to add the amendment to the bill.

Under House procedure there can be only one recommittal motion and the right to make the motion goes first to the minority party.

Colmer was able to persuade a Republican—Rep. Ralph W. Gwinn (R-N.Y.)—to make a straight recommittal motion—that is one without an instruction. When this motion was defeated there was no opportunity for a roll call on the amendment.

A substantial number of the 3300 school districts benefitting from the impact aid program are located in Southern states.

School Aid To The Fore

The New York Times

14d(1) Federal Aid

Advocate p.4

Sat. 5-17-58

Jackson Miss.

If emergency Federal help to the states to promote school construction was urgently necessary in 1955 and 1956 and 1957, it is all the more necessary now. In the four years since the Eisenhower Administration first proposed it, Congress has consistently refused to adopt such a program for general application, though the House killed it last year by only the narrowest of margins which might have gone the other way had the President shown a bit more enthusiasm. In any event, the Administration has this year dropped school construction in favor of its program of scholarships and other forms of aid stressing the importance of the sciences.

Although remedying the class-room shortage is more important than any other form of public works, this is not a measure primarily to combat the economic recession. It is a measure to help defeat the intellectual recession, or what will surely become one if we do not take large and imaginative steps in the very near future. While increases in teachers' salaries, greater scholarship assistance and improvement in the curriculum are of even more fundamental significance than additional bricks and mortar, provision of the latter through the Federal construction-aid program that has already been worked out by the Administration offers a ready method of relieving at least some of the intolerable financial pressures on local educational systems.

A subcommittee of the House Education and Labor Committee last week endorsed the Administration's own 1956 school-construction bill. We hope that at the meeting of the full committee a few days hence it will be reported not as a substitute for a scholarship program but as a supplement to one. The education of American youth is possibly our biggest national emergency. It will cost more money than most of us have dreamed of; but this is something that we will have to face up to as vital to our national existence.

Administration Plans to Scuttle Federal School Aid Bill

14d(1)

By ROBERT E. HOYT
Of Our Washington Bureau

Herald p.8D

Mon. 5-14-58

Miami Fla.

WASHINGTON — Informed congressional sources say the administration has a plan afoot to scuttle the federal-aid-to-school-construction program.

The White House is said to be considering a substitute plan to loan money to the states to build schools.

A key portion of the strategy, these sources say, is to instigate a strong anti-federal aid resolution at the conference of U. S. Governors which opened in Miami Beach Sunday.

Key Republican congressmen in the school fight have been summoned to a White House conference on Wednesday (May 21). Many GOP congressman are outspokenly against any federal aid to schools.

It is believed that the loan program will be outlined at this session.

Such a plan would tend to take the White House and House Republicans off the hook. Liberal Democrats on the education and labor committee are pushing a plan which had the President's support last year.

It would call for giving the states 1.5 billion dollars to build schools. The President apparently has cooled to the plan, because he sent no school construction bill to the Congress this year.

Republicans were against it in a 4-3 party line vote a few weeks ago, when the bill cleared the subcommittee. It has not come to a vote before the full committee.

At the time of the subcommittee action, Republicans said they were against it because they felt it would jeopardize the President's bill for federal scholarships.

14d(1) 1958

FEDERAL AID

SUPPORTERS KEEP SCHOOL BILL ALIVE

'Face-Saving' Pact Enables Measure to Stay Under House Consideration

COMPROMISE IS SOUGHT

Backers Are Confident New Arrangement Will Result in Committee Approval

By BESS FURMAN

Special to The New York Times.

WASHINGTON, May 22—The school construction bill, apparently deadlocked yesterday by a 15-to-15 vote in the House Education and Labor Committee, was revived today.

It got new life through a "face-saving" agreement by Republican and Democratic proponents of Federal aid for building classrooms.

They agreed on a peculiar parliamentary arrangement whereby the bill would remain under consideration by the full committee while being debated in a subcommittee headed by Cleveland M. Bailey, Democrat of West Virginia.

Proponents were confident that under the new arrangement a compromise bill would be worked out and approved by the full committee.

The Democrats tried to vote the bill out of committee yesterday, while the Republicans tried to send it back to the subcommittee to be amended more to their liking. Both moves failed on tie votes. Representative Graham A. Barden, Democrat of North Carolina and chairman of the full committee, voted with the Republicans.

Barden, Gwinn Feared

The Democrats, who had forced the bill into the full committee by a one-vote margin, were adamant against recommittal because they considered this certain death for the measure.

They were sure that two old-time opponents of school construction, Mr. Barden and Representative Ralph W. Gwinn of Westchester, who are ex officio members of the subcommittee, would be present and vote "No" in that panel. Both were absent when the bill was approved by the subcommittee.

Representative Carroll D. Kearns, Republican of Pennsylvania, made the first move. He asked unanimous consent to withdraw his motion, left dangling yesterday, for a second effort to recommit the bill.

"I think that is a splendid solution," said Representative Frank Thompson, Democrat of New Jersey, author of the bill.

Discussion Cut Short

"Under the parliamentary situation," Mr. Thompson continued, "my bill remains in full committee. But that doesn't mean it can't be discussed and ironed out and have agreements reached on amending it."

Representative Peter Frelinghuysen Jr., Republican of New Jersey, asked: "Does it save face to keep it in the full committee?"

"It doesn't cost anybody face," Mr. Thompson replied.

Mr. Gwinn complained that "the bill already had been taken out of the barn" before his testimony against it. Mr. Kearns replied that what had happened was "water over the falls."

Discussion was cut short by Mr. Barden, who noted: "We chased around this mulberry bush yesterday and nobody caught anybody." He said nothing had happened to impair or restrict any bill that Mr. Bailey would eventually bring before him.

The subcommittee hearings resume next Monday.

The Republicans have objected to what they consider the sharp political tactics of the Democrats in Mr. Thompson's introduction of the precise bill approved by President Eisenhower. It calls for a $1,500,000,000 program equally divided over three years.

They want a bill "geared more to consideration of the recession," as advocated by Mr. Kearns and Mr. Frelinghuysen, both of whom have brought in new bills this session. Such a compromise version, proponents felt, may win a few more Republican votes.

N.Y. Times

B.&E.C.

14d(1)

Fri 5-23-58

New York N.Y.

Powell Plans Bias Ban on School Aid

Herald Tribune
New York N.Y.
Jan. 1-7-58

WASHINGTON, Jan. 6 (UP).—Rep. Adam Clayton Powell, D., N. Y., anounced today that he would try to tack an anti-segreation amendment onto President Eisenhower's proposed billion-dollar school aid program.

p. 15

The Negro Congressman made clear he would fight to block any and all aid-to-education measures coming before Congress this session unless they include such an amendment. His integration riders led to bitter wrangles that helped kill off Federal aid for school construction the past two years.

14d(1)

Rep. Powell said the greater scientific training sought by Mr. Eisenhower's four-year school program would prove of no value unless race discrimination was halted.

"We can throw more satellites into orbit than Russia," he said in a statement. "We can train more scientists than Russia. But as long as we do all this on the basis of a lily-white segregated pattern, we are finished as a first-class power."

Federal Grants Urged to Aid In Integration

~~Eve~~ Star
Washington D.C.
Mon. 2-10-58

13 Senators Propose $212 Million to Help School Programs

p. A1

A new civil rights bill, offering Federal aid to local communities in the South as an inducement to end racial segregation in the schools, will be introduced in the Senate today.

14d(1)

Eight Democrats and five Republican Senators joined in sponsoring the measure, which also seeks to give the Attorney General broader powers to protect civil rights generally, outside of the schools. These provisions are a revival of proposals Congress turned down last year when it passed the first civil rights law in 80 years primarily to protect voting rights.

Meanwhile, in the House today and in the Justice Department there were other developments in the civil rights field.

A House floor fight was threatened because the Appropriations Committee excluded from a money bill a $750,000 item for operations of the new Civil Rights Commission during the fiscal year beginning next July 1.

No Staff Director Yet

In the bill awaiting House action this afternoon to provide funds for the White House and various other governmental expenses, President Eisenhower requested the $750,000 to finance the commission next year. He also recommended action in another bill providing $200,000 for the commission's activities during the remainder of the present fiscal period.

The Appropriations Committee took a dim view of the $200,000 request. It cut out the $750,000 item because the commission does not yet have a staff director and the six members have not yet been confirmed by the Senate.

In the Justice Department, four civil rights matters are under consideration by the new Civil Rights Division, Attorney General Rogers disclosed yesterday. In a TV interview with Representative Keating, Republican of New York, Mr. Rogers promised to enforce the civil rights statute vigorously. He indicated, however, that "we probably won't have too many matters for consideration until we get closer to a primary election."

Enforcement Plan Drawn

The new Senate bill provides that when conciliation and Federal aid fail to bring voluntary compliance with the Supreme Court school decisions, the Secretary of Health, Education and Welfare would be empowered to prepare desegregation plans for those areas. The Attorney General could then file compliance actions in connection with those plans upon receipt of signed complaints from individuals unable to seek legal protection on their own.

The new approach in this bill is the offering of $212.5 million of Federal grants over a five-year period to communities which are trying to comply with the Supreme Court school integration decision.

Senator Douglas, Democrat of Illinois, one of the sponsors, explained that the bill would:

Authorize the Federal Government to distribute $2.5 million a year for five years in grants to assist advisory councils and specialist services to develop community understanding of desegregation programs.

p. 14

Authorize appropriations of not more than $40 million a year for five years for school facilities, the employment of additional teachers and other measures undertaken to eliminate segregation.

Star

Senator Douglas said funds would be available "to those local communities that wish to comply with the court's decisions but where, as in Georgia and Virginia, the State threatens to cut off funds or close the schools."

Popular Opposition Admitted

Senator Douglas said substantial progress toward compliance with the court decisions has been made in a number of border States, but that strong resistance is still effective in a group of at least seven Southern States.

Mon. 2-10-58

Those who joined Senator Douglas in sponsoring the bill are Senators Humphrey of Minnesota, Hennings of Missouri, McNamara of Michigan, Neuberger and Morse of Oregon, Proxmire of Wisconsin and Clark of Pennsylvania, Democrats; Ives of New York, Allott of Colorado, Case of New Jersey, Javits of New York and Dirksen of Illinois, Republicans.

Although a number of civil rights bills have been introduced since January, there are no indications that congressional leaders will reopen the subject this year. Most observers believe they will wait until the Civil Rights Commission, appointed under the 1957 law, files its report. The commission was given a two-year life.

Student Aid by States

Times p. 81

WASHINGTON, Feb. 8 (AP)—Following is a state-by-state breakdown released today by the Office of Education showing how it plans to apportion its money and scholarships if the Administration's Federal aid-to-educate-program is approved by Congress.

The program has had initial hearings by committees in both the Senate and House, but probably will not come to a full vote for some time. The breakdown shows that New York would lead the list with 784 scholarships to be awarded for the academic year starting next September. Ten thousand such scholarships are to be awarded annually for the next four years, averaging $750 each.

14d(1)

Sun 2-9-58

New York N.Y.

	Scholarships				Grants	
	Amounts		Number			
	First Year.	Fourth Year.	First Year.	Fourth Year.	State.	Local.
Aggregate	$7,500,000	$30,000,000	10,000	40,000	$10,000,000	$100,000,000
NORTHEAST						
Conn.	80,394	321,574	107	429	118,341	1,103,000
Me.	44,160	176,639	59	236	54,004	516,000
Mass.	180,036	720,145	240	960	241,349	2,636,000
N. H.	22,646	90,584	30	121	26,668	272,000
N. J.	202,682	810,729	270	1,081	260,351	2,651,000
N. Y.	586,666	2,350,663	784	3,134	748,718	8,152,000
Pa.	476,701	1,906,800	636	2,542	561,037	6,175,000
R. I.	30,195	120,779	40	161	34,336	301,000
Vt.	17,739	70,958	24	95	23,002	215,000
NORTH CENTRAL						
Ill.	377,434	1,509,738	503	2,013	454,697	4,958,000
Ind.	195,134	780,534	260	1,041	279,685	2,909,000
Iowa	128,328	513,311	171	684	168,011	1,848,000
Kan.	89,452	357,808	119	477	134,676	1,418,000
Mich.	338,559	1,354,235	451	1,806	406,360	4,084,000
Minn.	144,557	578,230	193	771	170,011	1,992,000
Mo.	180,036	720,145	240	960	235,349	2,407,000
Neb.	65,296	261,185	87	348	77,338	888,000
N. D.	33,969	135,876	45	181	41,669	444,000
Ohio	381,209	1,524,835	508	2,033	505,034	5,215,000
S. D.	33,969	135,876	45	181	41,003	444,000
Wis.	170,978	683,911	228	912	189,346	2,250,000
SOUTH						
Ala.	180,036	720,145	240	960	244,350	2,207,000
Ark.	100,775	403,100	134	537	139,676	1,333,000
Del.	17,739	70,958	24	95	21,335	201,000
Fla.	152,106	608,424	203	811	244,016	2,207,000
Ga.	195,134	780,534	260	1,041	302,020	2,421,000
Ky.	164,939	659,755	220	880	197,013	1,719,000
La.	150,974	603,895	201	805	197,680	1,791,000
Md.	114,363	457,451	152	610	100,007	1,461,000
Miss.	132,102	528,408	176	705	177,012	1,361,000
N. C.	245,332	981,330	327	1,308	302,687	3,195,000
Okla.	113,230	452,921	151	604	163,011	1,834,000
S. C.	133,234	532,937	178	711	187,679	1,504,000
Tenn.	180,036	720,145	240	960	251,683	2,264,000
Tex.	404,987	1,619,949	540	2,160	581,705	5,344,000
Va.	172,488	689,950	230	920	248,017	1,977,000
W. Va.	115,872	463,490	154	618	152,677	1,519,000
D. of C.	25,288	101,152	34	135	33,669	344,000
WEST						
Ariz.	53,973	215,893	72	288	72,672	645,000
Calif.	472,926	1,891,701	631	2,522	742,716	7,408,000
Colo.	69,071	276,282	92	368	90,006	903,000
Idaho	32,837	131,347	44	175	48,337	530,000
Mont.	29,062	116,250	39	155	41,669	444,000
Nev.	10,191	40,763	14	54	16,001	158,000
N. M.	42,650	170,600	57	227	62,004	573,000
Ore.	70,580	282,321	94	376	110,007	1,204,000
Ntah	42,650	170,600	57	227	63,004	673,000
Wash.	103,040	412,158	137	550	178,345	1,820,000
Wyo.	13,965	55,860	19	74	22,001	229,000
OUTLYING POSSESSIONS						
Alaska	9,058	36,234	12	48	10,001	72,000
Guam	9,058	36,234	12	48	5,000	34,000
P. R.	135,876	543,506	181	725	181,679	960,000
Vir. Is.	1,510	6,039	2	8	5,000	13,000
Hawaii	23,778	95,113	32	127	36,336	774,000

Congress Asked To Withhold Funds From Jim Crow Schools

Weekly New Orleans, La. Sat 3-15-58

p. 1

Washington - The National Association for the Advancement of Colored People has again urged Congress to withhold federal funds for education from segregated schools.

Testifying before the Senate Committee on Labor and Public Welfare here on March 5, Clarence Mitchell, director of the NAACP Washington Bureau, cited the continuing defiance of the United States Supreme Court ruling against segregation in public education by political leaders of Alabama, Arkansas, Georgia, Florida, Louisiana, Mississippi, South Carolina and Virginia.

"The question arises," he said, "can the officials of these states be trusted to handle any kind of federal assistance for the education of all of our citizens without firm anti-segregation safeguards? The answer to that question is 'No.'"

The NAACP, Mr. Mitchell told the committee members, asks "that no state be given any funds unless its appropriate officials pledge that such money will be spent in conformity with the requirements of the U.S. Supreme Court decisions of May 17, 1954, and May 31, 1955, in the school desegregation cases."

Mr. Mitchell read into the record a letter which NAACP Executive Secretary Roy Wilkins wrote to Marion B. Folsom, Secretary of Health, Education and Welfare, on Jan. 3. In this letter, Mr. Wilkins charged:

"Two million Negro children continue to be deprived of their right to equal access to the best training their communities provide. Education and training in the sciences for the generality of students are now deemed inadequate to meet the challenge to national security, and the shameful inadequacies of the illegally segregated Negro schools impose an even more handicap upon the national effort."

Weekly p. 7

Sat 3-15-58

Student Aid Is Urged To Avoid Race Issue

Post + Times Herald

Thurs 3-6-58

—International

A spokesman for teachers yesterday urged Congress to avoid the integration issue in proposed education bills by granting fellowships directly to individuals rather than to institutions.

Washington D.C.

Thelma M. Borchardt, vice president of the American Federation of Teachers, told the Senate Labor Committee that "we must face frankly the question that if grants are to be given to institutions," the racial integration issue will arise "in relation to every college involved."

p. A18

A Democratic-sponsored education bill proposed the granting of 8500 fellowships to college graduates for advance study over a 6-year period. This is a part of the scholarship program provided in several bills before the Committee.

Mrs. Borchard, said the fellowship program should follow the policy established in the GI school bill, which gave aid directly to the individual.

She also warned that "no great good can come" from Federal aid to education at the college level unless it is extended also to elementary and high schools.

She asked: "How can we teach science to college youth if they can't read a sixth-grade textbook? How can we teach a foreign language to young people who can't read and write their own mother tongue correctly?

The national director of Americans for Democratic Action called for $3.2 billion a year for Federal aid to education.

Eight States Cannot Be Trusted With Schools Funds---Wilkins

World p. 4

WASHINGTON.—The officials of eight southern states cannot be trusted to administer any type of federal assistance to education without anti-segregation safeguards, an NAACP official told a Congressional subcommittee here.

Clarence Mitchell, director of the Association's Washington bureau, testified before the House subcommittee on special education on April 2. He enumerated the eight states with untrustworthy officials as Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, South Carolina, and Virginia.

Tue. 4-8-58

He cited a letter from NAACP Executive Secretary Roy Wilkins to Marion B. Folsom, Secretary of Health, Education and Welfare, in which Mr. Wilkins warned that "any government plan for assistance to the states in the form of grants for scholarships, teacher training, and other methods of reducing the waste of talent should not subsidize a system which has stifled talent among the children and youth of 4,000,000 American families, except for a handful of hardy, persistent and fortunately placed individuals."

Atlanta, Ga.

"We ask that no state be given any funds unless its appropriate officials pledge that they will be spent in conformity with the requirements of the U. S. Supreme Court decisions of May 17, 1954, and May 31, 1955, in the school desegregation cases," he asserted.

Mr. Mitchell cautioned subcommittee members that "at some point, the Congress must decide to call a halt to the wanton program of using federal money to promote illegal school programs of racial segregation."

"Now is the time to act," he added, pointing out that "Congress cannot ignore the extensive pattern of tax-supported defiance in some areas of the country."

The NAACP's legislative specialist noted that a Chicago newspaper last month estimated that southern states have spent more than two million dollars in attempts to defy the Supreme Court decisions banning segregated public schools.

He noted also that in Mississippi the state legislature has had under consideration "a proposal to let a private organization, the White Citizens Council, fight desegregation with tax money."

"Unless there are appropriate safeguards against illegal expenditures of federal money, we may discover too late that funds intended for public education have been diverted to supporting the White Citizens Council in Mississippi or some other private organization that promotes segregation," Mr. Mitchell cautioned.

House Passes 'Impact Area' School Funds

Roosevelt Fails In His Segregation Amendment Try

By Erwin Knoll
Staff Reporter

A bill to continue school aid for such "Federally impacted" areas as the suburbs of Washington was passed by the House and sent to the Senate yesterday after an unsuccessful attempt by Rep. James Roosevelt (D-Calif.) to bar funds for segregated school systems.

Post p. 1

Thurs. 4-24-58

The House rejected a last minute move by Rep. Ralph W Gwinn (R-N. Y.) to recommit the bill, then approved the $20[illegible] million measure by an overwhelming voice vote.

Washington D.C.

Roosevelt's amendment was defeated 132 to 25 after sponsors of the bill said its adoption would jeopardize the legislation.

As passed, the bill would extend until June 30, 1961, the eight-year-old program of financial assistance for school systems crowded by children of military personnel or Federal employes. The six Washington suburban school districts received $6.45 million in operating funds under the program this fiscal year, and about $7 million in school construction money.

The bill would establish permanently that part of the impact aid program which refers to children of persons who both live and work on Federal property.

The measure received full backing of area legislators yesterday. Rep. Joel T. Broyhill (R-Va.) said it was "among the finest and most meritorious pieces of legislation" in this Congress.

About one sixth of the land area in Arlington is owned by the Federal Government, he told the House. If placed on the tax rolls, this land "would yield as much as all the other property in the community," he added.

In backing the bill, House Republicans and Democrats rejected an Administration proposal to trim the program by $80 million next year and gradually eliminate all impact aid except the assistance for children who live on Federal property. The proposed cutback had been protested by most of the 3300 school districts eligible.

Roosevelt left his bed at Bethesda Naval Hospital, where he had been under treatment for ulcers since last Saturday, to present his amendment. It would have denied payment to racially segregated school systems or to those which had taken no steps to comply with the Supreme Court's desegregation decision.

Integration Trial Ordered By Judge

Herald P. 1B
Miami, Fla.
14d(1)
Fri. 2-7-58

Federal Judge Joseph P. Leib refused Thursday to dismiss a segregation suit against Dade's schools, and indicated a trial of the case will start after March 17.

The Dade School Board had sought a dismissal of the 18-month long litigation. It contends that no individual has been denied his constitutional rights in the school system here.

The suit was filed by the Rev. Theodore Gibson, president of the Miami chapter NAACP, on behalf of his son.

Segregation Law Appears Doomed, Says State Official

Times-Union
Jacksonville, Fla.
14d(1)
Wed. 3-12-58

Florida's school segregation law, as a part of a proposed new constitution, will be just as invalid in the eyes of the U.S. Supreme Court as it is in the present State Constitution, Asst. Atty. Gen. Ralph Odum told the Woodland Acres School Parent-Teacher Assn. last night.

Odum also said in a prepared speech to the P-TA group that Florida's "pupil assignment law" will be ruled unconstitutional unless some Negroes are admitted to white schools.

"Just how much integration or how rapidly it will be required by the federal courts is an unknown factor," Odum said.

He added that at this time no Florida school board has evidenced any willingness to admit even one Negro pupil to a white school, or vice versa.

May Close Schools

If the Supreme Court should fix an immediate, arbitrary date for integration it would probably lead to the closing of public schools or a "military stalemate" like that experienced in Little Rock, Ark., Odum said.

Odum assailed Gov. LeRoy Collins' statement in a speech last Saturday in which the governor said the people have a right to complain about decisions of the court. The governor added, "We should get fighting mad, however, when we hear the court itself, as an institution, and its basic powers as a part of our government, raked over the coals."

The chief assistant to Atty. Gen. Richard Ervin said the U.S. Supreme Court is composed of "men subject to human failings like other men." Many of their recent decisions, he said, have been made on the basis of 50 per cent legal prededent and 50 per cent for sociological and political considerations.

"I think the right to criticize any public official, judicial, executive or legislative, is an essential strength for a democracy rather than a threat to its existence.

"The court as an institution, and its basic powers as a part of our government, must never be above criticism by the people and review by their elected representatives in Congress," he added.

It is a common fallacy that might makes right, Odom said.

P. 33

Law of the Land

"It is significant that in the whole controversy over the segregation decision, relatively little has been said about its rightness or wrongness by those who support it. The common appeal has been to the effect that it is the 'law of the land' and therefore must be accepted. This is, of course, an appeal to force rather than to reason or logic or moral conviction."

Times Union

Florida's "pupil assignment" law gives local school boards sole authority in determining which school pupils should attend. Odum said if a test case is ever brought to show that the law, while it makes no mention of race, has been used to segregate Negroes and whites in schools it will be ruled unconstitutional. He concluded:

Wed. 3-12-58

"I do not believe that the Christian responsibility and concept of brotherhood can be accomplished by judicial edict or by social engineering, which treat mankind as a faceless, unidentifiable plastic mass to be crushed or maneuvered into a common mold."

Integration Plea Denied

Judge Won't Ban Pupil Law Use

14d(1)

By JOHN B. McDERMOTT
Herald Staff Writer

A federal judge Friday refused to stop the Dade County School Board from using the Florida pupil assignment law which was designed to prevent integration.

Judge Joseph P. Lieb rejected a plea from G. E. Graves Jr., attorney for the National Association for the Advancement of Colored People, during a pre-trial conference on a school integration suit.

Herald P. 1

Lieb said he would schedule trial of the case "sometime after April 15."

Sat. 3-22-58

Graves contended that segregation is being continued in the Dade school system despite rulings by the U.S. Supreme Court prohibiting segregation.

Miami, Fla.

The charge was denied by Edward Boardman, school board attorney, who said that the board was simply upholding the pupil assignment law passed in 1956 by the State Legislature.

Boardman also challenged Graves to prove that any Negro students were being prohibited from getting an education in public schools here.

Graves contended that the only issue involved in the Miami suit is the admission of Negroes to all public schools in Dade County

But when the judge asked him if Negroes had been refused in any specific case, Graves said they had not.

Graves cited the "100 per cent attendance of white students at white schools, and the 100 per cent attendance of only colored students at colored schools."

He also pointed out that only Negroes teach in schools attended by Negroes and only white teachers direct classes in white schools.

The suit was first filed June 12, 1956 but has been tied up in pre-trial maneuvering. It was twice thrown out of court by Judge Emett C. Choate, but after the second dismissal, the Fifth Court of Appeals ordered a trial.

Court To Study Fla. School Suit

14d(1) Fla.

NEW ORLEANS — (INS) — A Federal Appeals Court in New Orleans took under study Tuesday an anti-segregation suit attacking Florida's pupil assignment law.

The U. S. Fifth Circuit Court of Appeals took under advisement the case brought by the father of a six-year-old Negro school child who sought admission to an all-white school in West Palm Beach, Fla.

Attorneys for the plaintiff, William P. Holland, Sr., argued that the child was denied admittance to the Northboro Grade School because of the pupil assignment law, which they contend was designed to perpetuate segregation by allowing education officials to assign students to any school regardless of geographic area.

World P. 1

They added that the child had been assigned to a Negro school, the Pleasant City School, "purely on the basis of race and color, and not geography."

Wed. 4-16-58

Attorneys for the Palm Beach County Board of Education countered that the assignment law is not an issue in the case because it makes no mention of race or color in its provisions.

Atlanta, Ga

This argument was upheld by Miami Federal District Judge Emmett Choate last year when the case was first brought up for court action. Judge Choate dismissed the suit on the grounds that there were no constitutional issues involved.

Judge Choate also dismissed plaintiff's arguments that the Negro school was overcrowded and inferior to white schools. He declared that the Negro school was physically, but not scholastically, inferior and that all schools in Florida, white as well as Negro, are overcrowded.

his case partially on the assumption that no Negroes had tried to get into white schools.

News capsules—

Florida will obey racial order-Collins

News 7-22

MIAMI BEACH, Fla. — Florida's chief executive says the state will obey the law when the U. S. Supreme Court orders its schools integrated.

Gov. Leroy Collins told reporters on a TV panel program yesterday that Florida, meanwhile, is far ahead in its attitude compared to some other states where racial integration has been carried out.

LEROY COLLINS

"Development of a climate of tolerance is the greatest advance we can make at this time," Collins said. "Integration itself is not a meaningful goal. It is important to develop the proper climate of tolerance so that when integration comes, it will be a real accomplishment."

"We try to encourage our colored citizens to make substantial progress and they are making progress," he said.

B'ham, Ala.

Asked if there are any Florida communities where deep and dangerous hostility would develop if integration were ordered tomorrow, Collins said "there probably are some."

Collins is chairman-elect of the National Governors Conference. He has been mentioned as a possible Democratic candidate for vice president in 1960.

Florida Pupil Assignment Gets Court Test

P16A

Thurs 6-19-58

News & Courier

Charleston S.C.

MIAMI, Fla. (AP) — Dade County schools are not racially segregated, county officials testified yesterday in a suit considered a key challenge to segregation in Florida.

They testified in Federal District Court that the public education system is operating under the State Pupil Assignment Law which makes no distinction between white and Negro students.

The testimony came at the start of a hearing into a two-year-old suit brought by Negroes who want to force racial integration of county schools.

Robert L. Carter, a New York attorney for the National Assn. for the Advancement of Colored People (NAACP), indicated that a heavy legal attack is brewing against the assignment law.

Carter and other NAACP lawyers failed to get an immediate ruling from Judge Joseph P. Lieb whether the assignment law will be introduced as evidence.

"The law is the essence of this case," Carter said, "and must be investigated. This constitutes part of our proof that Dade schools are, in fact, segregated."

Edward F. Boardman, school board attorney, protested attempts to bring up the law. He said it was not an issue.

School Superintendent Joe Hall said the reason for all-white and all-Negro schools, with no pupils in integrated classes, is by and large due to residential factors and student preferences.

School Board policy does not make distinction, Hall said, "but neither does it require forced integration."

Schools Refused Two Applicants, Court Informed

World

Birmingham Ala.

Wed. 6-25-58

MIAMI (UPI)— A hearing on a petition to force integration in Dade County schools was recessed Wednesday after NAACP attorneys claimed that two Negro boys were rejected in their attempts to enter white schools. P.4

Federal Judge Joseph L. Lieb recessed the trial until Aug. 18 as attorneys for the school board protested that the new claim changed the complexion of the case.

Robert L. Carter, NAACP attorney from New York, said he had just recently learned that Theodore Gibson, Jr., and John Brown Jr., both Negroes, applied for admission to Dade County schools but were turned down.

In the first day of the hearing Tuesday both Carter and school board attorney Edward F. Boardman agreed that no Negroes had made attempts to enter white schools in Dade County.

Judge Lieb expressed surprise that no one had asked the youths about the incident Tuesday when they testified at the hearing.

Boardman argued Tuesday that the county has no racial segregation in public schools. He based his case partially on the assumption that no Negroes had tried to get into white schools.

Schools Refused Two Applicants, Court Informed

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Record

P.1

Roosevelt Says Ike Should Call For Mixing Now

News and Courier

P. 1

Mon. 5-19-58

Charleston S.C.

TAMPA, Fla. (AP) — Rep. James Roosevelt (D-Calif) urged President Eisenhower Sunday to call Southern governors to Washington and tell them to integrate public schools.

He called upon the president to take positive action to see that the U.S. Supreme Court desegregation decision be complied with, rather than waiting until trouble arises over enforcement before stepping in.

The eldest son of the late President said later at a news conference that he wanted to see this done "before some incident like Gov. Faubus had in Arkansas last year."

Roosevelt spoke at a meeting of the Florida State Conference of the National Assn. for the Advancement of Colored People. The meeting was in observance of the fourth anniversary of the Supreme Court ruling.

Eisenhower should make it clear, said the Californian, that despite the tradition of letting localities handle their own educational problems "there is a great obligation to see that every boy and girl gets an equal education and that this must be in non-segregated schools."

He also recommended that the President call regional conferences throughout the United States to discuss all phases of civil rights.

A stronger and more rigidly enforced civil rights law also must be passed, he said.

Integration Delayed for Dade County

Washington D.C.

Washington Post

Fri. 8-22-58

P. A14

MIAMI, Fla. Aug. 21 (AP) Dade County's white and Negro pupils still will be attending separate schools when classes start Sept. 2. Dade County includes the city of Miami.

Federal Judge Joseph P. Lieb yesterday postponed for at least four weeks a final decision on a school integration suit sponsored by the National Association for the Advancement of Colored People.

He gave attorneys for both sides that long to study the record of 2½ days of testimony and submit memorandum briefs. Regardless of his ruling, an appeal is expected to the U. S. Court of Appeals at New Orleans and possibly from there to the U. S. Supreme Court.

County School Supt. Joe Hall told the court Dade's schools are not actually segregated, it's just a coincidence that there are no integrated classes.

He said this is a result of the state pupil assignment law under which a number of considerations—but not race—are taken into account in placing a child in the school to which officials feel he is best suited.

Parents of two Negro children testified they applied for assignment of their youngsters to white schools, but were turned down. A number of Negro principals reported they have only Negroes in their schools.

14d(1) 1958

FLORIDA

Dade Takes Legal Stand Segregation Doesn't Exist

Case Tests Assignment Formula

14d(1)
Fla

By BERT COLLIER
Herald Staff Writer

Dade County school officials denied Tuesday that there is any racial segregation in the Miami area schools.

They testified in federal District Court that the public education system is being operated under the State Pupil Assignment Law which makes no distinction between white and Negro students.

Herald
p.2A
Miami Fla.

School Superintendent Joe Hall declared the reason for all-white and all-Negro schools, with no pupils in integrated classes is, "by and large," due to residential factors and student preferences.

Wed
6/18/58

School Board policy does not make for racial distinctions," Hall testified in the trial of a suit by parents of seven Negro children seeking admission to white schools. "But neither does it require forced integration."

Hall took the witness stand after several School Board members insisted race is not considered in assignment of pupils to specific schools.

Dr. C. Raymond Van Dusen, School Board chairman, said assignments were made on "sociological factors and the psychological makeup of the child."

"I consider that the schools are not segregated racially but are operating on a non-segregated basis," he said.

Mrs. Anna Brenner Meyers testified she has had some informal talks with other board members, urging them to take some stand on segregation. But the formal board policy, she said, is to operate under the Pupil Assignment Law.

Attorneys for the petitioners, including G. E. Graves, Miami, and Robert L. Carter, NAACP attorney from New York, insisted attendance areas and School Board policy were rigged to preserve complete racial segregation.

Three Negro fathers and one Negro student testified about the effects of school segregation.

The Rev. Theodore R. Gibson, NAACP leader in Dade County, said he brought suit in behalf of his son, Theo Jr., because he wanted him to "enjoy the benefits of an integrated school. I don't want him to go through life with a badge of inferiority attached to him."

A Miami Negro physician, Dr. J. O. Brown, said he came here because of an idea that Miami was a progressive city.

"I found the schools operating on a segragated basis, which I do not feel gives every child equal opportunities," he said.

More than 40 witnesses were on hand as the long-pending suit came to trial.

Considered the key challenge to school segregation in the state, the case already has been to the U. S. Circuit Court of Appeals at New Orleans. The appeals court overruled a federal District Court dismissal of the test suit on grounds that it raised no issue.

14d(1)
Fla.
Herald P.2A
Miami Fla.
Wed. 6-18-58

—Herald Staff Photo by William Kuenzel

Miami Schools Integrated? These Three Say 'Not So'

... Theodore Gibson Jr., his father, the Rev. Gibson and G. E. Graves, NAACP attorney at court hearing

Grove Residents Protest Extension

Miami Herald Miami, Fla.

Negro School Plan Balked

1410

Coconut Grove residents Wednesday talked school officials out of plans to extend the play area of George Washington Carver for Negroes toward a white neighborhood.

A delegation representing 350 white residents told the Dade County School Board that moving the play facilities south of the school toward LeJeune Rd. and Loquat Ave. would violate zoning laws. The disputed strip of land is close to white homes.

Spokesmen in the group said they were aware that the Negro children need more play space and would work to have another location used for that purpose.

But the Rev. Theodore R. Gibson, Negro clergyman and president of the NAACP here, said zoning wasn't the thing the white people were concerned about.

Thurs. 6-5-58

"These people aren't telling you what's really in their minds," he said angrily. "They are afraid of Negro children getting too close."

P. 1

He said he was "shocked" that the delegation wasn't aware of conditions at the school. The Negro children, he said, are hemmed in on some 7½ acres of land for 12 grades.

Section D

Mrs. Martha Magruder, Coconut Grove real estate woman and longtime resident, said an alternate proposal could make more play area available.

She suggested that a garbage incinerator in another area near the school be relocated and the site used for added playground.

The board in December had voted to extend the play area south of the school and had voted to build a fence and resurface the site at a cost of more than $3,300.

But Board Chairman Raymond Van Dusen told The Herald Wednesday night the matter should have had more serious study.

He said issues like this come up all the time when schools attempt to expand. "The fact that this involves a Negro school has nothing to do with it. The residents no doubt would have objected to the plans had it been a white school."

LONG-STANDING DADE CASE

Fla. Times-Union Jacksonville, Fla.

Negro Teachers Testify Segregation Not Ordered

Tues. 8-19-58

MIAMI, Aug. 18 (UPI)—Eight Negro school principals testified today they had not been ordered to maintain segregated schools as a long-standing federal court case involving Florida's pupil placement law reopened.

P. 17

However, all the principals also said that only Negroes attended their schools and that to their knowledge the question of segregation never actually arose.

Federal District Judge Joseph Lieb reopened a hearing on the complex suit filed two years ago by the Rev. Theodore Gibson, Miami NAACP official, and other Negro parents on behalf of their children.

An earlier hearing was postponed last June when NAACP attorneys said two Negro children had applied for admittance to white schools in Dade County and were turned down. Both sides agreed today that the two Negroes had applied for admittance under the pupil placement law.

Dade school board Atty. Edward Boardman said no Negro had been denied admittance to any Dade County school on the basis of color or race. He said the suit was definitely a challenge to the pupil placement law.

However, NAACP Atty. Robert Carter of New York said the only question was whether Dade County schools were segregated and in conflict with federal rulings. "We're challenging the segregation in Dade County schools in spite of the pupil placement law," Carter said.

First witnesses called today were heads of Negro elementary and junior and senior high schools in the county. Each was queried closely about assignment cards which pupils are asked to fill out to determine which school they will go to. And in every instance, the witness stated that county school officials had given specific instructions as to how the cards should be filled out.

Three days have been alloted for the trial.

Showdown Near on Integration

Miami Herald

Miami, Fla.

Sun. 8-17-58

The showdown suit to determine if Negro pupils attend white schools in Dade County will move toward a final decision this week in Federal District court.

P. 37A

With 20 witnesses under subpena and others expected to be called, the hearing will open at 1:30 p.m. Monday before Judge Joseph P. Lieb. Three days have been reserved for testimony and oral arguments.

The suit was brought by Rev. Theodore Gibson, Miami NAACP leader, and several other parents in behalf of their children. The class suit is generally regarded as the key test of Florida's school segregation and pupil assignment law.

G. E. Graves Jr., NAACP attorney, said he has called members of the Dade County school board, Dr. Joe Hall, county school superintendent and other school officials to prove his contention that Negro students are being kept from white schools, in violation of the U. S. Supreme Court's mandate.

At an earlier hearing on the suit, Dade school officials denied segregation by race existed here as a policy of the school board. They said they were bound by the state pupil assignment law, which requires that pupils be assigned to schools on a number of factors exclusive of race or color.

Mingling Respite Is Proposed

Miami Herald

Miami, Fla.

Fri. 8-22-58

Collins Favors Six-Month Delay

A1

TALLAHASSEE — (UPI) — Gov. LeRoy Collins called Thursday for a six-month moratorium on federal court orders requiring the integration of public schools in the South.

Collins proposed that Congress, in the few remaining days of its current session impose the moratorium and direct the Federal Civil Rights Commission to use the time to prepare legislation for the next Congress to solve the touchy racial problem.

The proposal would not affect schools already under court orders to integrate this fall, including graduate schools at the University of Florida. But it would prevent any new trouble-spots from popping up while Congress is in recess.

Collins is chairman of both the Southern and National Governors Conference. But he said his recommendation comes only as the "governor of a sovereign state who is extremely anxious to get this matter resolved."

He said President Eisenhower's declaration he will send out federal troops again if necessary "presents a grave and serious crisis in our national well-being."

The President's statement, he added, presents no solution.

"We must find a way to avoid the application of raw force where contrary to the deep-seated will of the people."

Collins said the Southern Governors Conference does not plan to "make any further effort to convince the President he should not send federal troops into any state to enforce integration. When a committee which included Collins failed in a similar venture last year, he said, "We felt that any further effort would be futile."

'Get Tough On Schools' Ike Urged

Herald

Mon 5-19-58

Jimmy Roosevelt Is NAACP Speaker

P. 11 C

TAMPA —[illegible]— Rep. James Roosevelt (D.-Calif.) Sunday urged President Eisenhower to call southern governors to Washington and tell them to integrate public schools, or the federal government will.

ROOSEVELT

He called upon the President to take "positive action" to see that the U. S. Supreme Court desegregation decision be complied with, rather than wait until trouble arises over before stepping in.

Miami, Fla.

The eldest son of the late President said later at a press conference he wanted to see this done "before some incident like Gov. Faubus had in Arkansas last year."

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President Eisenhower should make it clear, said the Californian, that, despite the tradition of letting localities handle their own educational problems, "there is a great obligation to see that every boy and girl gets an equal education and this must be in nonsegregated schools."

He also recommended the President call regional conferences throughout the U. S. to discuss all phases of civil rights.

A stronger and more rigidly enforced civil rights law also must be passed, he said.

He said in the eyes of many people of the world the U. S. has failed to live up to the democracy it preaches.

Roosevelt said we tend to blame Communists for the unfriendly demonstrations against us in other parts of the world.

"The Communists are only taking advantage of a situation our failure has helped to create," he said.

Every time a NAACP speaker mentioned the name of any member of the Roosevelt family the audience of several hundred broke out in applause.

He said repeatedly civil rights are not the problem of the South alone, and spoke of job discrimination in California and residential segregation in New York.

FLORIDA BOARDS MUST OPEN INTEGRATION MOVE

14d(1) 1958

FLORIDA

Court Rules Florida Boards Must Open Integration Move

MIAMI, Fla. — The U.S. Circuit Court of Appeals said in a ruling received here Friday that Florida school boards must make "a prompt and reasonable start" toward racial integration.

The court declined to rule on the constitutionality of Florida's Pupil Assignment Law which is similar to Alabama's Pupil Placement Act. The laws give local school boards broad authority in assigning students to schools, without mention of race.

The federal court observed that "there is no need at this time to consider separately" charges by a Negro plaintiff that Florida's assignment law is unconstitutional and that gerrymandering was practiced in school districts to maintain segregation.

Friday's decision rendered at New Orleans in the Palm Beach County integration case, was not expected to be acted upon until Oct. 15 when Miami Federal Judge Emmett C. Choate returns from vacation.

Lawyers for Palm Beach County School Board and William Holland, Palm Beach Negro lawyer who sued the board, said they would study the written opinion closely to determine whether an immediate start must be made on integrating schools.

The appellate court said, "It is enough to observe that no means of any description can be legally employed to deprive the appellant of his rights under the Constitution.'

Holland went to federal court in an effort to get his son into a white school, saying the school to which the boy was assigned was substandard. The school board said it assigned the boy to a school in his district—which Holland contended was artificially created to preserve segregation.

Alabama's Pupil Placement law has been declared "not unconstitutional on its face" by a federal district judge who said it could be discriminatory in practice.

To what specific extent the ruling on the Palm Beach County case would affect other areas schools was not at once known. But the Florida School Board Assn. said it and the State Principals Assn. will meet with state officials to seek state financial aid in coping with integration lawsuits.

The court in any event said it believed that the district court had jurisdiction to relieve the the plaintiff. The district court had found the plaintiff was not discriminated against or denied any constitutional right.

Advertiser
Oct 4-58
10-4-58
14d(1)

Lower Court Decision Is Reaffirmed

PENSACOLA, Fla. — (UPI) — Florida must integrate its public schools or abolish them, Assistant Atty. Gen. Ralph Odum said Monday night.

To preserve that state's public school system, Odum, said, a few Negroes must be admitted to white school's soon and more later.

Odum has handled segregation suits under Atty. Gen. Richard W Ervin since the U. S. Supreme Court's historic desegregation decisions. He made his frank appraisal of Flordia's situation in an address prepared under the direction of Ervin and delivered to the Pensacola Lions Club Monday night.

He said he came to the conclusion that no state has any other alternative but to integrate or abolish public schools after sitting in on the Sept. 11 hearing before the Supreme Court in the Little Rock case.

That convinced him, Odum said, that the court is not primarily concerned with integration, preservation of public schools or the future of public education or welfare in the south.

MATTER OF SUPREMACY

"It was solely preoccupied with the question of its supremacy over the state of Arkansas," he said. The same thing will be true with other state laws designed to circumvent the U. S. court, he said.

Odum said the most practical method of handling education if public schools are abolished seems to be through a titution plan.

"We feel that this system would stand the present legal tests prescribed by the Supreme Court if no strings were placed on the money other than proof of attendance of the child in an accredited school," he said.

Declaring that "the moment of truth is fast approaching," Odum said Florida's pupil assignment law is being tested in court in Dade and Palm Beach counties. The law has been depended on to prevent mass integration.

He said "it is obvious" that the law ill be struck down unless law will be struck down unless schools under it. None has been yet.

CANNOT IGNORE

But Odum said states cannot continue to ignore the U. S. Supreme Court's order that public school must be integrated.

"The governor or any other state leader who tells his people that he will be able to preserve segregated public schools, regardless of the U. S. Supreme Court order, is deluding himself and his people,' Odum said

"The people must be told and every effort made to make them understand that ultimately their choice can only be between integrated public schools or no public schools."

He said politicians must stop making segregation a political issue. Odum said there is a sizeable minority of white and Negro parents in Florida who want to send children to integrated schools, and that these should be allowed to do so.

He said this "voluntary integration" might help uphold Florida's pupil assignment laws.

World
Times 10-21-56
10-21-58

Educator Admits Race A Factor in Negro Ban

By PHIL MEYER
Herald Education Writer

School Superintendent Joe Hall admitted at a public hearing Thursday that race was involved in the barring of four Negro children from a white school.

Miami Herald

"There was nothing else I could say," Hall said after the hearing before the Dade County School Board. "If I tried to circumvent it, I would have been guilty of perjury."

Miami, Fla.

The admission caught NAACP attorney G. E. Graves Jr. by surprise.

Fri 9-26-58

"I was certainly surprised that he was that frank about it," he told The Herald.

P. 16

Thursday's hearing was held under provisions of the Pupil Placement Act, a law designed to help school boards preserve segregation by permitting them to ban Negroes from white schools on grounds other than race.

Four children, all seeking entry to Orchard Villa School, were represented at the hearing.

Hall, called as a witness by attorney Graves, listed "sociological, psychological, and administrative factors" in each of the four cases as reasons for denying the students admission to the school.

In each case, "you have pitched your opinion on race," Graves told him.

"Race is involved, yes sir," was Hall's reply.

In the case of six-year-old Sherry Joseph, daughter of Mrs. Ada Marie Joseph, 5550 NW 14th Ave., Hall listed the sociological and other factors in general terms.

"Isn't it true," asked Graves, "that if she were a white child, she would be admitted?"

"Yes," replied Hall.

"Then race was the principal consideration, wasn't it?" Graves asked.

"Tension existing as a result of race was the main factor," Hall said.

The superintendent explained that race was not in itself the deciding factor, but rather the problems arising from the fact that the children were colored.

Among these, he cited "tension and resentment" in the school's neighborhood.

"If the Negro pupils were assigned to the Orchard Villa School at this time, the tensions and resentments would be transferred to the school situation," he said.

He also cited the possibility that a predominately white class might present a "hostile environment" for the Negro children.

This "might very well retard the child's academic progress," Hall said.

Under "administrative factors," Hall cited the need for preparation of faculty and patrons of the school before integration could be accomplished.

The four children included the Joseph girl; Irene Amanda Glover, 7, and Jan Glover, 8, children of Mrs. Irvena Prymus, 1275 NW 55th St.; and Gary Range, 6, son of Mr. and Mrs. Oscar Range, 5727 NW 17th Ave.

All three mothers testified they lived within two blocks of Orchard Villa School and about a mile from Holmes Elementary, where their children were assigned.

The School Board took no action Thursday, deciding to study the transcript of the hearing first.

Mrs. Ada Marie Joseph Testifies at School Hearing
. . . board members Yarborough, Vosloh, Butler listen thoughtfully

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Floridian Villified For School Stand

Told State It Must Integrate Or Abolish Classes

Commercial Appeal

TALLAHASSEE, Fla., Oct. 23. —(UPI)—Asst. Atty. Gen. Ralph Odum said Thursday he has been deluged with vilifying and threatening calls and letters since his blunt declaration that Florida must begin integrating public schools or abolish them.

Memphis, Tenn.

But Mr. Odum said he has received just as many letters and calls praising his frank appraisal of the situation facing Florida, which, according to Mr. Odum, boils down to a choice between "integrated public schools or no public schools."

Fri 10-24-58

The only legislator he heard from was Senator-elect Sam Gibbons of Tampa, who thoroughly approved of the remarks contained in an address Mr. Odum made in Pensacola Monday night. It had the approval of Atty. Gen. Richard Ervin, who has twice recommended legislation to provide for abolishment of public schools if integration is forced on Florida.

P. 1

Mr. Odum, the state's top expert on segregation law, said his critics misinterpreted the speech as advocating integration.

"The attorney general's office is not advocating integration or segregation, but is merely giving the facts to the public before it is too late," he said. "Anyone who took the trouble to read the speech would realize that."

Mr. Odum is sending a copy of the 27-page speech to everyone who has contacted him and the present supply of more than 200 copies has been exhausted. More will be printed, he said, so that anyone interested can have copy.

INTEGRATION STUDY SET

Miami Weighs Admission of Negroes to Grade School

MIAMI, Fla., Oct. 16 (AP)—The Dade County School Board has ordered a study of the feasibility of admitting Negroes to a white elementary school.

N.Y. Times

The board said it wanted to learn whether Orchard Villa School can be used successfully as a pilot school to start integration on a voluntary basis.

N.Y. City

The board voted yesterday to delay a decision on the request of four Negro children to enter the school until the study is completed.

10-17-58

P. 23

C. T. McCrimmon, board member, said the study was designed to determine the effect the admission of Negro children would have on the administration of the school and the "sociological and psychological effect upon these students and their fellow students."

Fri

10-17-58

Superintendent Joe Hall, who wil conduct the study, was told to find out the reaction of teachers, pupils and parents in the school area and the rate of growth of the Negro population there.

COLLINS URGES CONGRESS ACT ON INTEGRATION

Governor Calls Court Rule Unrealistic

BY JOSEPH ATOR
[Chicago Tribune Press Service]

Lexington, Ky., Sept. 22—Gov. Leroy Collins of Florida appealed Monday for congressional action to guide racial desegregation of the south's schools.

Tribune

In his chairman's address opening formal sessions of the Southern Governors' conference, he asserted that the courts are incapable, because of the very nature of their processes, of meeting the crisis and averting national catastrophe."

P. 5

Chicago, Ill.

Solution, Not Scapegoat

Terming the segregation problem the most severe constitutional and social crisis that the nation has faced since post-Civil war reconstruction, Gov. Collins said: "The time has passed when finding fault will help. What we need to find now are solutions, not scapegoats."

Tues

9-23-58

Remarking on progress that has been made since the Supreme court's 1954 mandate, he said that to contend that no desegregation is feasible anywhere in the south is patently untrue but, he added: "It is equally false to assume that some desegregation is possible everywhere in the southern states or that mass integration is possible anywhere in the southern states."

When the Supreme court delegated to federal District courts the task of setting forth the details of desegregation plans, working thru local school boards, it adopted a scheme that was "idealistic but not realistic," Gov. Collins insisted.

Flexibility Needed

School boards are chosen to run local schools and supervise educational programs, he continued, "not to deal with broad scale efforts to bring about community social readjustments far beyond the field of educational and often deeply counter to the mores of the people."

He went on: "The symbol of our courts is the blinded goddess of justice, yet the conditions we face require more flexibility of administration, more discretion and adaptation than the courts are by nature and rule permitted. The court has declared a principle, but we should have the tools of law to bring order and reason to any program of implementation."

Gov. Collins called for congressional action as the first order of business in January, tho he said that he could not suggest what form it should take.

Should Provide Protection

But he did say:

"This must be a two-sided coin. Congressional legislation should provide for facilitating desegregation in individual communities where and when it is feasible. But it also should provide protection against improvident, forced desegregation in communities where and when it is not feasible . . .

"There are those who will contend that the approach by congressional action will facilitate desegregation. There will also be those who will contend that it will impede and prevent desegregation. Indeed, it will likely do both."

Gov. Collins got more compliments on his eloquence than on his idea. Gov. Theodore McKeldin of Maryland, sponsor of a pro-integration resolution, said acceptance of Collins' proposal would become "just another delaying tactic, an invitation to filibuster — a stalling from session to session."

Relies on School Boards

Gov. McKeldin also denied that it is unrealistic, as Gov. Collins asserted, to place reliance on local boards to implement desegregation decrees. Local boards have worked out their problems successfully in Maryland, in Kentucky, and in other states, he asserted.

"The greatest troubles of the day have been generated in those states where the state government inserted itself into the picture on the side of disobedience of the Constitution," he said. "We do not need an act of Congress to spell out or tell us what the decision of the Supreme court has made so clear—that a citizen is a citizen."

Not on Agenda

Tho segregation appears nowhere on the official agenda of the conference, it continued to be the No. 1 topic of conversation. Whether the issue will produce more than conversation is dubious, however. Under conference rules, resolutions have to be passed by a two-thirds vote, and there are too many variations of opinion among the 13 governors present to make agreement on any segregation statement likely.

Gov. Marvin Griffin of Georgia countered the pro-integration resolution which Gov. McKeldin has said he will offer with his own states' rights declaration, which was passed over at last year's meeting at Sea Island, Ga.

It consists of one sentence: "Resolved, that this conference go on record to support the preservation of constitutional government in this nation and protect the sovereignty of the several states against all encroachments."

STETSON LAW GROUP HEARS SIMPSON

Private Schools Seen Key Source of Future Leaders

1420 Fla

Times-Union

By ROY MILLS

Times-Union Staff Writer

DE LAND, Nov. 15—Privately endowed, church-supported schools will be a bulwark in supplying the leaders of the future in this age where integration problems are threatening public education in the South, a federal judge said here today.

Jacksonville, Fla.

District Judge Bryan Simpson of Jacksonville, speaking to some 500 lawyers and doctors at the Stetson Diamond Jubilee law breakfast, called on Floridians to open their eyes and minds to the "problem that is here."

He said there are deeply held and widely divergent views in regard to integration in public schools and the problem's solution "will tax to the utmost the wisdom of both races."

Judge Simpson said that the problems of integration should not be swept under the corners of the [illegible]

Sun. 11-16-58

"It's going to stay with us and not go away because we wish it to," he declared. "And the tragic result is that public education on the college as well as the elementary level is bound to suffer in this state for years to come."

P24

He said the solution is not in sight and predicted that a tragic situation seems inevitable despite efforts of our leaders.

"I suggest that the answer is here on this campus and at other privately endowed, church-supported schools in Florida," he asserted.

Another speaker at the law breakfast, Dr. Louis Orr of Orlando, president-elect of the American Medical Assn., noted the improvement in relations between lawyers and doctors in recent years.

He said that conflict between the two professional groups today is confined generally to the fiction of television and the movies.

Noting that some trials are settled on medical rather than legal questions, he urged a closer cooperation between the two professions.

Justice H. L. Sebring, dean of the Stetson College of Law, added a humorous note to the occasion in introducing his faculty.

"We're still operating on Confederate money at Stetson Law School and we pay such low salaries that professors can't afford to leave," he jested.

Newly-elected officers of the Florida Baptist Convention were honored at the ministerial breakfast with a turnout of some 150.

At Orchard Villa School

Families Sharply Split on 'Pilot' Integration Plan

By PHIL MEYER

Herald Education Editor

Miami Herald

Orchard Villa School families are sharply divided in their feelings on the proposed integration of the school as a "pilot" project for Dade County, a school board survey disclosed Wednesday.

Miami, Fla.

Released to board members Wednesday afternoon, the survey showed that slightly more than half — 85 out of 143 — of the families would ask to move their children to other schools if Negroes are admitted.

But 76 out of the 143 said they would not mind working with Negro parents in PTA affairs if integration were established.

Thurs. 11-20-58

The school board has been eyeing the Orchard Villa school, located in a mixed neighborhood, as a possible place to start some form of integration. Four Negro children who live nearby have applied for admission.

9/13

Nearly all of the families interviewed — 130 out of the 143 — said it would make no difference whether the Negroes were admitted now or at the beginning of the next school year. They would not change their decisions to transfer their own children or leave them where they are.

A similar division of opinion was found among teachers and other employes in the school.

The report said that while all of the teachers would prefer to work in an all-white school, more than half of them are willing to stay if it is integrated.

"A few would request transfers to avoid any type of integration plan," the report said.

"The greatest fear expressed by teachers was that of community pressures, strife, and violence. Only a few teachers believed that the children themselves would present a problem."

All of the custodians and lunchroom personnel indicated they would be willing to serve Negro children as long as they did not outnumber the whites.

The general attitude seemed to be, "I don't care. I am going to move," said Asst. Supt. Wesley Matthews, who directed the community part of the survey.

Any action by the school board will probably await the completion of a study of real estate transactions in the neighborhood.

14d(1) 1958

FLORIDA

Florida Plans to Retain Its Public School System

Alternative Program Is Studied

14d(1)

Herald
Miami, Fla.
10-22-58

TALLAHASSEE —(UPI)— Key legislators said Tuesday that Florida will not abolish its public school system, but will consider an "alternative" plan for private schooling for those who refuse to send their children to integrated schools.

Senate President-Designate Dewey Johnson of Quincy predicted that no "serious" move will be made in the 1959 session to abandon the system of free public schools.

He pointed out that such a drastic step would require a constitutional amendment, subject to a public vote "and nobody wants to abolish our public schools right now."

This sentiment was echoed by Sen. L. K. Edwards of Irvine and House Speaker-Designate Tom Beasley of Defuniak Springs.

Edwards is chairman of the Legislature's interim committee on education. He said his committee has not taken up the segregation problem as yet but may get around to it. Its next meeting is set for Nov 7-8 in Miami.

A group of senators have been working for two months on a plan that would authorize private community corporations to operate private schools under a "tuition" plan partially supported by the state and county governments.

But it would not replace the public school system, Johnson declared. He said there is a chance that it might supplant public school operations in 10 or 15 years but it would require a long trial first.

Before that comes about, both Johnson and Edwards said hopefully, the U.S. Supreme Court may modify its desegregation rulings.

But Edwards admitted that was something like whistling in the dark.

Johnson said the state is going to be forced to make some drastic changes in the financing of its public schools, aside from the integration problem.

He said pyramiding costs are going to make it impossible for the state to finance without some help. The private school plan might be the solution, he said.

BY NEGRO ATTORNEY

School Segregation Suit Is Filed in Hillsborough

Times-Union
Jacksonville, Fla.
12-11-58

TAMPA, Dec. 10 (UPI)—Negro Attorney Francisco Rodriguez said today he filed suit in U.S. District Court here to break down racial segregation in Hillsborough County schools.

Rodriguez said the suit seeks to enjoin the Hillsborough County school board from "the practice of segregation" and asks for a declaratory decree which would in effect order the school board to begin some program of desegregation."

The suit was filed in the court of Federal Judge William Barker this afternoon, Rodriguez said.

It was the first such suit filed in Hillsborough County, although the NAACP threatened last September to take to the courts if the school board did not take some steps to integrate the classrooms.

Rodriguez is an attorney for the Florida NAACP, but he said the NAACP had nothing to do with the suit. He said it was filed by five local Negro families who are seeking to enter their children in white schools.

Last Sept. 30 the NAACP, however, wrote Hillsborough School Supt. Crockett Farnell that the school board must either take positive steps toward racial integration in the classrooms or face court action.

At that time, local NAACP Secretary James Johnson said the NAACP had received complaints from Negroes seeking school integration and had passed on the complaints to the school board. The NAACP said it could not stand idly by and not take action in view of the complaints.

FLORIDA SCHOOL PLANS REVEALED

14d(1)

Public-Plus-Private Idea Undergoing Study

By BARBARA FRYE

Times Picayune
New Orleans La.
Thurs. 10-23-58

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P.K.

'TUITION PLAN'

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DRASTIC CHANGES

Johnson said the state is going to be forced to make some drastic changes in the financing of its public schools, aside from the integration problem.

He said pyramiding costs are going to make it impossible for the state to finance without some help. The private school plan might be the solution, he said.

But a lot of details must be worked out to make sure the private schools are properly accredited and have adequate teaching staffs. The private corporations would pay for everything, and charge a tuition to pupils.

The state and counties would give parents a certain sum to help with the tuition based on how much it costs to educate a child, he said.

Collins Urges Some Mixing Instead Of Closing Schools

Advertiser Fri. 11-7-58

WEST PALM BEACH, Fla. (AP) —Gov. LeRoy Collins urged strongly Thursday night that Florida prepare itself to accept some integration in schools rather than abolish its public school system.

Collins declared that if the state faced up to its problem realistically "there is no reason on earth for anyone to assume the result will be widespread desegregation"

14d(1)

His remarks came in a speech prepared for the West Palm Beach Chamber of Commerce. He used his strongest words yet in opposition to a plan advanced by some legislators to set up a private school system to avoid integration.

Montgomery Ala.

He asked:

"What is the alternative? Defiance? No. Disorder and hoodlumism? Certainly not. Evasive schemes? The courts have held that such tactics, ingenious or ingenuous, will not be upheld."

Collins said state lawyers have advised that if the state's pupil assignment law is to be held valid it must not be administered in such a way as to be a complete bar to all Negroes. He recalled that legislators were so advised when segregation legislation was enacted in 1956.

Fri 11-7-58

"We must therefore, be prepared to accept some desegregation somewhere, sometime," he said.

But Collins said that determining when and where desegregation was to take place was a local responsibility and not within the authority of any governor to direct or control.

Enrollment Doesn't Match Predictions

Where Are Those Missing Dade School Kids?

By PHIL FORTMAN
Herald Staff Writer

Herald
Miami Fla.
14d(1)

There are 3,685 seats that shouldn't be empty in Dade County schools, and statisticians were busy Saturday trying to figure out why.

The number represents the difference between the expected enrollment increase — 11 per cent — and the actual increase this year — 7.1 per cent.

The big question worrying Dade County is whether those children are missing because they were never born, or whether they exist, but for

"That might have knocked a two-year gap in what was otherwise a steady parade of children."

Moore also suggested that the people moving into Dade County may be mostly younger families with no school-age children, or those who are past the child bearing age.

This theory is shared by Robert Benner, assistant professor at the University of Miami's Bureau of Economic and Business Research.

But Benner has some more theories which fall into the they - were - born - but-

some reason are still up north in all that cold weather.

Mon 11-3-58

Do the figures mean that something is slowing down Dade's population growth?

Are the predictions of a million Greater Miami residents by 1960 too optimistic?

P/B

A man who subscribes to the never-were-born theory is Philip W. Moore, head of First Research, Inc.

"The people who have moved down here just didn't have the children," he said. "There was the 1949 recession, and after that the Korean war which may have shaken things up.

they're-still - up - north category.

These put the blame on the recent recession and last year's cold spell. The tight-money period cut vacation plans of families with children, while the memory of the bad weather convinced them they might as well be cold at home as here.

That memory could grow dim right quickly, Benner added, if the north has a really severe winter this year.

Another possibility advanced by Benner is that Dade County is running out of room for

young families with children. They may be spilling into Broward county, which, "with more unfilled space is offering larger, lower cost housing developments," he said.

If this is true, Broward schools haven't noticed it yet. Their enrollment is increasing faster than Dade's, but still not as fast as last year.

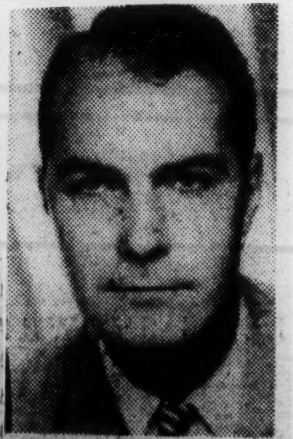
Enrollment at the end of the first month was up 12.5 per cent in Broward County this year. A year ago, the increase was 18.6 per cent.

In any event, the fact that school enrollment is not gaining as fast as it used to does not mean Dade can't reach a permanent population of a million by 1960.

In fact, UM experts are still looking for a gain to 1,500,000 by 1965 from the present 862,000.

There'll still be plenty of room in Dade, they said, if we only make use of it. Building more tall apartment buildings and working structures will help

When we can't grow out any further, there's still plenty of room in the other direction —up.



hilip W. Moore
. . . 'they weren't born

Schools Split Legislators

Miami Herald

Miami Fla

Dec 12-9-58

P.G.C.

1400

TALLAHASSEE — (AP) — If the 1959 Legislature is faced squarely with the choice of abolishing Florida's public schools and setting up a private system as a last ditch move to preserve segregation the vote would be close.

But most legislators don't think the school segregation problem in Florida has become that serious — yet. They feel other alternatives should be tried first, and Florida should profit by experiences of the next four months in Arkansas, Virginia and Alabama.

These sentiments were pointed up in replies to an Associated Press poll of legislators on the question of going to a private school system to preserve segregation.

The 38 senators and 95 representatives who will serve in the 1959 session were asked this questions:

"Would you vote to abolish the public school system and set up a private system to preserve segregation?

Replies were received from about a third of the legislators representing a good cross section. Ten replied—some with qualifications — that they would vote to abolish public schools, and 11 replied they would not. Twenty others either made no direct reply or said they wanted more time to study the matter.

EATON

STENSTROM

Sen. Douglas Stenstrom of Sanford said that if it ever came to a showdown on private vs-public schools, it would be the people rather than the Legislature who would have to decide.

Stenstrom, an attorney, pointed out that under Article 12 of the State Constitution the Legislature had no power to abolish the public school system. Section 1 of this article reads:

"The Legislature shall provide for a uniform system of public free schools, and shall provide for the liberal maintenance of same."

He said the constitution would have to be amended by a vote of the people before the Legislature constitutionally could set up a private system.

And Sen. Joe Eaton of Miami said he did not believe that any plan for using public funds to operate private schools would stand up in federal courts.

Assistant Attorney General Ralph Odum, the state's legal expert on racial matters, said recently in a speech at Pensacola that Florida had reached the point where it had to decide between accepting token integration under the pupil assignment law, and going to some type of private school plan such as the parent option proposal.

'Human Rights Audit' Finds

Dade Segregation Losing Its Grip Except in Schools

1411 Fla

By PHIL MEYER
Herald Staff Writer

Miami Herald

SEGREGATION in Dade County is slowly losing its grip everywhere but in the schools, a team of amateur researchers reported Friday.

Making a "human rights audit" in connection with the 10th anniversary of the UN Declaration of Human Rights, a committee of 12 civic groups found that:

Sponsors

Sponsoring organizations of the "human rights audit" were the Dade Council on Community Relations, National Conference of Christians and Jews, American Jewish Congress, Anti-Defamation League, American Civil Liberties Union, American Jewish Committee, Miami Ethical Society, United Church Women, Urban League, YWCA, Womens International League, and Womens Society of Christian Service. Technical advice was supplied by the Welfare Planning Council and the University of Miami.

BUSES—Bus segregation has practically disappeared, although there is some voluntary separation.

Miami Fla

HOTELS—The better Miami Beach hotels grant full use of their facilities to Negroes at conventions, but the less fancy establishments continue to bar them.

Dec 12-6-58

RESTAURANTS — The number of restaurants both on the Beach and the mainland which serve Negroes is increasing.

MOVIES—Negroes can occasionally see first-run movies, but only during slack periods.

P/C

Data in the five-month study was gathered by an integrated committee headed by Mrs. Alfred Mamlet. Its members worked in teams of white and Negro women who personally tested the segregation barrier to see exactly how far it could be breached in all kinds of public accomodations.

★ ★ ★

THEIR FINDINGS show that "Negroes are being accepted more and more in the everyday walks of life, and are not being separated as they used to be," Mrs. Mamlet said.

The white and Negro women who boarded buses, entered restaurants, and bought movie tickets together reported that reactions ranged from indifferent to apologetic and hostile.

The phrase, "This is the South," was often used by clerks and waitresses who refused to serve the Negroes, Mrs. Mamlet said in her report.

"I am from the North. I am not accustomed to this," one waitress said, addressing the white member of the team. "I am terribly sorry, but I have orders."

★ ★ ★

MIAMI BEACH and Coral Gables restaurants proved to be more willing to serve Negroes than those in other parts of the county. No Flagler St. lunch counter would serve the mixed pair, although one department store in the mid-town area did serve them at a small table near the lunch counter.

In Coral Gables, "they were served in two branches of a nationally known, higher-class restaurant where they were not made to feel uncomfortable," Mrs. Mamlet said. But at cheaper places, they were turned away.

The integrated teams also found on buses segregation, forbidden by a federal decision, is not enforced, although some drivers "may be unpleasant." One driver told a Negro woman to move to the back and stopped to call his office when she refused. After the phone conversation, he got back in and drove off without another word.

Committee members "noticed that it seemed to be habit on the part of the Negroes, more especially the older ones, to go to the back of the bus, and that may help explain the lack of incidents," said Mrs. Mamlet.

★ ★ ★

IN HOTELS — An invisible line seems to cut across the Beach along Lincoln Road. Many of the hotels north of Lincoln Rd. admit mixed groups and most to the south will not. Among the larger hotels to the north, there are varying ground rules for the Negroes who are admitted. Two of the "prestige" hotels make no restriction on their activities, while some of the smaller ones bar them from sitting in the lobby or using the swimming pool except during slack periods.

In Miami, most hotels would not take mixed groups, but some would accept them for convention activities provided they sleep elsewhere. Only one Miami hotel would take Negroes on an equal basis with whites.

★ ★ ★

SEPARATE DRINKING fountains marked "White" and "Colored" are on the way out. Many stores now have only one fountain, and in some with two, the signs are painted out. Even where they are left, both white and Negro shoppers tend to disregard them.

Legal requirements for separate marked washrooms in theaters prevent Negroes from being admitted, but some theaters occasionally relaxed the requirements at matinees.

The committee's report, along with those of six other groups investigating other fields of civil liberties, will be presented at a Wednesday night meeting at White Temple Methodist Church. A report dealing with education will show there is "no known plan" to implement scho segregation.

Negro Opens Door To U. Of Florida

Jackson News
Jackson, Miss.
Wed. 8-27-58
P. 5

GAINESVILLE, Fla. (UPI)—A Negro has qualified for admission to the University of Florida law school, opening a new chink in the South's wall of resistance to integration.

The school issued a brief statement Tuesday to the effect that one of two Negroes allowed under court order to take qualifying tests had measured up to requirements and probably would be admitted this fall.

At present, there are no integrated classes in any Florida school, at any level.

The school did not identify the student who qualified. But it was learned from an unofficial source that the two taking the tests were Carl Osborne of Jacksonville and Virgil Hawkins of Daytona Beach.

Hawkins has been fighting in the courts for the past nine years in an effort to gain admission to the law school. He has been turned down in the past on the basis of failing marks on the entrance tests.

Federal Judge Dozier Devane opened the way for at least limited integration in the state when he ruled on June 18 that Negroes were entitled to enroll in the university at the graduate level.

Qualification of the Negro sets in motion an integration plan in which university students themselves are to take part.

Student leaders and administrators are to form a secret committee to study integration procedure and make recommendations to President J. Wayne Reitz. Reitz in turn is to present the findings to the State Board of Control, which regulates the state's education policy.

Before going into effect the recommendations would need the approval of both the board and of Gov. LeRoy Collins.

"I am convinced that regardless of personal opinions or emotions, it is the desire of students and faculty that, in carrying out the order of the court, it be done with calmness and good taste," Reitz said.

U.S. Court Reverses Negro Case

Herald
P 2 A
P. 2
Miami, Fla.
Wed. 8-27-58

By RICK TUTTLE
WPB Bureau

WEST PALM BEACH—Negro leaders won the second round Tuesday in a two-year-old legal battle aimed at integration of public schools in Palm Beach County.

The U.S. Fifth Circuit Court of Appeals in New Orleans reversed a ruling of U.S. District Court Judge Emmett C. Choate of Miami.

Judge Choate ruled July 5, 1957, that a West Palm Beach Negro attorney's son was not being kept out of Northboro school because of his color.

Attorney William M. Holland had tried to have his son enrolled at Northboro in September of 1956.

The appeals court remanded the case to the Miami federal court for further action.

It said a "completely segregated public school system is being maintained and enforced" in Palm Beach County.

Judge Choate had held that the boy's constitutional rights had not been infringed. Holland said his seven-year-old son's application for transfer from Pleasant City school to Northboro, a greater distance from his home, had been turned down because of his color.

When contacted Tuesday night, Holland aaid several Negro leaders had received queries from the appellate court some months ago, asking whether the case was to be considered a class action or an individual action.

He said "our answer was that the case could be considered a class action, thus aimed at integration of all Negro children in all county schools."

Holland said although he had not received a copy of the ruling he would at this point interpret it to mean that the district court was being told to order integration in the schools here.

The West Palm Beach municipal Golf Course was quietly integrated in mid April after a long court struggle between Negro leaders and the city.

Last month a Negro doctor, representing 1,000 petitioners, asked the school board to open Palm Beach Junior College to Negro students. The board has turned down the petitioners so far.

School board members Thurmond Knight said Tuesday he was disappointed at the ruling. He reserved further comment until he consults with school board attorneys.

School Supt. Howell Watkins echoed Knight's statement. He said School Board Attorney Marshall M. Criser was in Jacksonville.

Negro Qualifies For Florida U. School of Law

Constitution
P. 1
Atlanta, Ga.
Wed. 8-27-58

GAINESVILLE, Fla. (UPI)—The University of Florida announced Tuesday that a Negro had qualified for admission to its law school this fall.

If the student is enrolled in September, it will mark the beginning of racial integration at the all-white state-supported university.

In a brief statement, the school said one of two Negroes who sought admission to the law college had qualified, but it declined to identify either student as a matter of policy.

Florida School Chief Sees No Trouble When Schools Open

World
P. 1
[illegible]
[illegible]

TALLAHASSEE — (UPI) — State Superintendent Thomas D. Bailey foresees no integration and no trouble when Florida's nearly one million school children flock back to their classrooms Sept. 2.

There may be one or two Negroes admitted to graduate schools at the University of Florida. But even this is not certain.

The universities do not start the fall term until mid-September.

Bailey said he has not heard of a single instance where an attempt will be made to enroll a Negro child in a school other than the one to which he is assigned for this fourth school opening since the U. S. Supreme Court banned segregation.

All school boards are operating under the pupil assignment law by which each child is assigned to the school for which he is supposedly best suited.

The law permits integration, but Bailey said he knows of no board that will use it to mix whites and Negroes next week.

In fact, he predicted the school opening will be the smoothest since 1953 — mostly because the state has all the teachers it needs for the first time in five years.

Many areas are short classrooms, he said, and there will be double sessions in several places, including Hillsborough and Broward counties which apparently are the worst off.

Dade does not anticipate any double sessions unless the crop of pupils is larger than expected.

Bailey looks for an increase of 60,000 to 70,000 students over last year.

Schools have already opened with reported incidents in Calhoun, Glades, LaFayette, Levy, Suwannee, Union, Walton, Clay, Putnam, St. Johns, Hardee, Monroe, Orange and Pasco counties.

Schools in the other 53 counties open Tuesday with the exception of Franklin where opening is delayed until Sept. 8.

State May Study Sex Segregation In Public Schools

14d(1) Fla
Herald
Miami, Fla.
P12-B
Sat. 10-4-58

TALLAHASSEE —(AP)— State School Supt. Thomas D. Bailey said Friday a proposal to set up separate schools for boys and girls if racial integration comes to Florida public schools merits study.

Hillsborough County Criminal Judge L. A. Grayson suggested boys and girls be segregated in separate schools if race mixing is ordered in Florida.

Bailey said the plan had been suggested earlier by Guyte McCord, clerk of the Florida Supreme Court.

"It would be difficult for anyone to object to the basic idea. However, I don't know at this time what practical problems would be involved. I think the proposal certainly merits further study," Bailey said.

Gov. LeRoy Collins was not available for comment. Grayson made the proposal in a letter to Gov. J. Lindsey Almond of Virginia.

"I haven't the faintest doubt," the judge wrote, "but that the race mixing in the lower grades of our schools, to the extent that it will be done in the South, if it is done at all, will eventually strike down the barriers between white and black.

"It would seem to me that if we must have it, it would soften the blow and postpone the evil day indefinitely, if co-education were stopped in all of the public schools.

"If our children must be mixed with Negro children, let them not be mixed male and female . . ."

The judge said in his letter, "I do not believe that even the Supreme Court, or the NAACP, could void a law which forbids the mixing of male and female in our schools."

He said that, as far as he knew, his idea has never been tested, although perhaps others have suggested such a solution to the integration problem.

Strong Integration Decree Reported in Florida Case

By BERT COLLIER..
Herald Staff Writer

Miami Herald
Miami, Fla.
Sat
10-4-58
p.2A
14(d)(1)

Florida school boards must make a "prompt and reasonable start to good faith compliance" with the Supreme Court desegregation mandate, the U.S. Court of Appeals at New Orleans said Friday in a ruling received in Miami.

The decision came in a suit in Palm Beach County by William M. Holland, Negro attorney, in behalf of his son.

Though handed down last month, the written opinion just received was considered much stronger than first reported.

Attorneys for both sides said they will study the language of the ruling to determine if it means an immediate start must be made toward mixed classes.

District Judge Emett C. Choate, whose original decision was reversed in the ruling, is out of the city until Oct. 15 and no further action is possible before then.

The appellate court held that responsibility to see that no child is deprived of his rights rests squarely on the school boards.

"During the period of transition," the unanimous opinion said, "the jurisdiction remains with the district court to ascertain and require good faith complaince.

"So long as the appellant and other Negro children are segregated in public schools on the basis of race, they and each of them, including the appellant, are being deprived of their rights.

"There is no need at this time to consider separately the charges of gerrymandering, or the unconstitutionality of the Florida Pupil Assignment Law, either on its face or by its application.

"It is enough to observe that no means of any description can be legally employed to deprive the appellant of his rights under the constitution."

The Holland case is one of two in Florida attacking school segregation.

The second, against the Dade County School Board, also is nearing a decision.

Testimony was taken by Judge Joseph P. Lieb almost two months ago and briefs have been filed by attorneys for both sides. Judge Lieb's ruling is expected shortly.

At West Palm Beach, counsel for the County School board said the board "is not practicing segregation."

Attorney Marshall M. Crisser said, "I don't believe that the mandate calls for immediate integration."

During a meeting of the school board, Chairman Henry O. Earwood said he had been named chairman of a committee to put the fight against integration suits on a statewide, rather than a county basis.

Earwood told the board he had been appointed last week at a Melbourne meeting of the State School Board Association. He said the State School Superintendents Association will work with his committee.

AS 'DOUBLE SOLUTION'

State Subsidy to Parents Urged for Private Schools

14(d)(1) Fla.

CLEARWATER, Oct. 25 (AP)—The president-designate of the 1959 Florida Senate called today for a state subsidy to parents wishing to send their children to private segregated schools.

Jacksonville Fla.
Times-Union
Sun 10-26-58
p.24

Sen. Dewey Johnson termed the public school situation critical. "Plans are being worked out," he said, "for a parallel system whereby private enterprise can help."

He spoke at the closing session of the Florida League of Municipalities' three-day convention.

"There is a danger in the trend of the Supreme Court," Johnson said, "but...whether we like it or not we have to accept its decisions."

He said a state subsidy enabling parents to enroll children in private schools could solve two problems—spiraling educational costs and integration.

Johnson contended that private enterprise can operate more efficiently and economically than government groups. He said through establishment of private schools the expense to the taxpayer could be lowered.

He also called for "revision of our patched-up state constitution" tion" and mentioned reapportionment by saying "legislators from heavily populated areas have been burdened by more constitutents than they can keep in contact with."

Programs "Too Rigid"

Johnson criticized municipal officials for being "too rigid" in programs presented for legislative consideration. He called for more flexibility and greater willingness on the part of local officials to consider proposed legislation from the statewide viewpoint.

The league elected Arvah B. Hopkins, city manager at Tallahassee, as president. He succeeds Sam T. Dell Jr. of Gainesville.

Claude Smith Jr., Jacksonville, was elected first vice president and Harold B. Spaet, Miami Beach, second vice president.

Named to the board of directors were James J. Musso, Lakeland; Nick C. Nuccio, Tampa; Robert S. Carr, Orlando; Murray E. Hagan, Lake City; R. A. Childers, Fort Lauderdale; and Herbert Gregory, Quincy.

The officers voted to retain Gordon T. Butler of Jacksonville as executive secretary and treasurer, and Ralph A. Marsicano of Tampa as attorney.

The league passed a resolution urging an amendment to the Florida Constitution which would allow the state to receive aid under the federal urban renewal program.

Retort to Segregationists?

Closing of Schools Opposed by Group

By PHIL MEYER
Herald Staff Writer

Miami Herald
14(d)(1)
Miami, Fla.
Tues 12-16-58
p.1A

The Dade County Committee for Better Schools unanimously passed a resolution Monday night opposing closing of public schools "for any reason."

The move was interpreted as a retort to North Florida segregationists who earlier announced plans to draft new school segregation laws.

The 30-member committee of civic leaders, headed by Charles Gottlieb, also voted to set up a fact-finding subcommittee to look into the economic effects of shut-down schools.

The resolution followed demands from State Sen. Harvie J. Belser, of Bonifay, that new legislation be drafted to preserve segregation in Florida.

At a previous meeting, the Miami group expressed concern about the possibility of the integration issue destroying the state's public school system.

Belser, in a letter to Senate President-designate Dewey Johnson of Quincy, called for appointment of a special 10-man committee to draft the new legislation.

He recommended the committee meet with Attorney General Richard Ervin and his assistant, Ralph Odum, to draw up the legislation.

Odum has said the state's present Pupil Assignment Law is open to attack because there hasn't been some integration anywhere in the state. Odum said it was obvious the law would be nullified under its present operation.

Named to the Miami group's subcommittee to study the economic effects of closed schools were Mrs. David Catsman, Mrs. Charles Mitchell, Burton T. Wilson, Edgar J. Seney, Jack Green, Dr. H. Franklin Williams, Tom Wood, Ken Keyes Jr., William A. McCall and Gottlieb.

14d(1) 1958 FLORIDA

Florida Hails Court OK on Placing Pupils

14d(1) Sec.

By JOHN L. BOYLES
Herald Staff Writer

Miami Herald
Miami, Fla.
Sec.
11-25-58
P.1

The U.S. Supreme Court Monday upheld Alabama's school placement law, which is aimed at preserving segregation, and Florida officials said they were "greatly encouraged" because of a similar law in this state.

Gov. LeRoy Collins said in Tallahassee that school authorities are now more confident than ever that Florida's pupil assignment law will be similarly upheld in the courts.

Assistant Attorney General Ralph Odum called the Supreme court ruling "the most encouraging thing which has happened to the South in the last two years."

The high court ruled in Washington that there is nothing unconstitutional on its face about the Alabama law. The court's unsigned brief affirmed what the justices termed the "limited grounds" on which the law was upheld by a three-judge special U.S. District Court in Alabama.

The court pointed out, however, that although the law is technically valid, it still may be challenged if applied to bring about discrimination in assigning pupils to schools.

Segregation leaders all over the South hailed the decision as a victory for states' rights.

The law gives local boards the sole right to determine where any pupil attends public schools. It sets out, without mention of race, 11 different factors to be considered in assigning pupils.

Factors the law says should be considered include the available room and teaching facilities; the scholastic aptitude and relative intelligence or ability of the pupil; the psychological qualifications of the pupil for the teaching and associations involved, and the effect of the admission on academic progress of other students.

The four Negro parents who challenged the law in Alabama made no contention to the special district court that the placement law was being administered for race discrimination.

Florida's pupil assignment law, passed in 1956 and now under attack in federal courts in Dade and Palm Beach counties, is similar to the Alabama law.

Collins said he felt assured in view of the ruling that "the court recognizes a place for reason and sound judgment in the administration" of school laws.

Odum, who has handled most of Florida's court cases dealing with the race issue, said the decision of the high court will help the South find a practical solution to the integration problem.

Attorney General Richard Ervin said the ruling shows that the court recognizes the fact that the race problem is one which requires "a great deal of latitude on the part of school administrators in using criteria which will result in orderly administration."

State School Supt. Thomas D. Bailey hailed the ruling as supporting the report of the Fabisinski Committee — which drew up the Florida law — "that such a law offers the best possible legal means for preserving free public school education in Florida."

In a busy day of major action Monday, the Supreme Court also:

RULED 5-3 that the Federal Housing Administration may ban the conversion of apartment buildings it has financed into hotels renting furnished overnight accommodations to transients.

THREW OUT unanimously an Oklahoman's white slave conviction because his wife was a prosecution witness. The court ruled 25 years ago that a spouse may give favorable testimony. Justice Black said in Monday's opinion that the court couldn't approve letting husband or wife give unfavorable testimony against the other in a federal criminal case.

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5 Pupils Set Fire To Florida School

Commercial Appeal
14d(1)
Memphis, Tenn.
Sec.
Wed. 12-3-58
P.1

SARASOTA, Fla., Dec. 2.—(AP)—Police said five pupils set fire to a frame classroom building Tuesday at St. Mary's Catholic School.

The blaze started shortly before morning classes got under way. No one was hurt. The fire did only minor damage to the portable structure.

Patrolman Jack Lerer of the Sarasota Police Department declined to identify the boys. He said they range in age from 10 to 12 and are pupils at St. Mary's.

Sister Carmen, school administrator, said the children "probably tried to reproduce what they saw on television last night." She referred to telecasts of the school fire at Chicago which took 90 lives.

Lerer said the children started the fire by lighting a piece of cardboard and holding it under a corner of the building.

Tampa Files Integration Suit

Miami, Fla.
Sat.
12-13-58
14d(1) P.1
Sec.
(Suit)

TAMPA — Five Negro families filed suit in Federal Court here Wednesday aimed at breaking down segregation in Hillsborough County White schools. Their lawyer indicated their target date is the opening of schools next September.

Attorney Francisco A. Rodriguez, former state NAACP counsel, filed the suit for the parents against School Superintendent J. Croikett Farnell and the County School Board.

It was the first such suit filed here and the first step taken by Negroes to crack segregation here.

Rodriguez said the suit sought to enjoin the School Board from the practice of segregation and asks a declaratory decree which would order the School Board to begin some program of integration.

He said it is a class suit which would affect all other Negro children similarly situated. Children of the Negro parents named as plaintiffs in the suit live in remote areas where they have to travel long distances to attend Negro schools, passing by closer White schools.

DAMAGE ONLY MINOR

Florida School Building Is Set Afire by Pupils

14d(1)

Times Union
Jacksonville, Fla.
Sat.
13-58
P.1

SARASOTA, Dec. 2 (AP) — Police said five pupils set fire to a frame classroom building today at St. Martha's Catholic School.

The blaze started shortly before morning classes got under way. No one was hurt. The fire did only minor damage to the portable structure.

Patrolman Jack Lerer of the Sarasota Police Department declined to identify the boys. He said they range in age from 10 to 12 and are pupils at St. Martha's.

Sister Carmen, school administrator, said the children "probably tried to reproduce what they saw on television last night." She referred to telecasts of the school fire at Chicago which took 90 lives.

Lerer said the children started the fire by lighting a piece of cardboard and holding it under a corner of the building.

TAMPA TO USE LOCAL LAW TO DUCK RULING

Birmingham World
14d(1)
Birmingham, Ala.
P.6
Wed. 12-17-58

TAMPA, Fla. — (UPI) — County School Supt. J. Crockett Farnell said Thursday the state's pupil assignment law would be used to keep Hillsborough County schools segregated in the face of a federal court suit seeking integration.

But Farnell, who has not had time to plan defensive action, said "if the court rules against the assignment law, I don't know what will be the next move on our part."

Farnell said he would "refer the matter to my attorney for study and report at the next meeting of the school board Tuesday night."

The suit was filed by Negro attorney Frandisco Rodriguez Wednesday on behalf of four Negroes seeking to enter Negro children in white schools. The suit charges that school segregation violates the 14th Amendment to the U. S. Constitution, "denying the Negroes the right to attend certai[n] ... for race which are conveniently ... them solely because ... or color.

Rodriguez is an attorney for the NAACP, but he said the suit was filed independently of the Negro organizatio by the four Negro plaintiffs-Andrew L. Mannings, Sanders B. Reed, Norman Thomas Nathaniel, Sr., and Randolph Myers.

Named as defendants were Farnell and members of the school board.

The Negroes claimed "many Negro students who reside nearer to schools limited to white students are considerably removed from their places of residence."

5 Fla. Families File School Suit

Defender
p. 9
Chicago, Ill.
Sept. 30

Another suit for integration of public schools has been filed in Florida.

A complaint was filed in federal district court Wednesday on behalf of five Negro families seeking to enter their children in the white schools of Hillsborough county (Tampa).

TURNED DOWN

It was the first suit of its kind filed in the county, although several such suits are pending in other parts of Florida. There are no integrated public schools in the state.

The action came as trial of a college integration suit neared its close in Atlanta, Ga., and as officials at Mississippi Southern college prepared for another enrollment attempt by a Negro chicken farmer.

In the Atlanta case, three Negro women are seeking admittance to state-supported Georgia State College of Business Administration. U. S. District Judge Boyd Sloan was expected to take the case under advisement after closing of the evidence.

Officials at Mississippi Southern in Hattiesburg, Miss., announced they had been informed of the impending application of Clyde Kennard, about 30. Kennard was turned down three years ago when he failed to fulfill application requirements and did not renew his application.

State and school officials said they understood the new attempt might come before opening of a new term next month.

To date, no legal action has been taken against school segregation at any level in Mississippi.

Repercussions continued, meanwhile, concerning the civil rights commission's futile attempt to look into Alabama's voter registration practices.

14d(1) 1958 FLORIDA

INJUNCTION DENIED

Court Refuses to Ban Church Use of School

Times-Union
Jacksonville Fla
Sat 11-8-58

A request for an injunction against the Duval County Board of School Trustees to prevent the use of the Southside Estates Elementary School auditorium for Roman Catholic worship services Sunday was denied yesterday in Circuit Court.

However, another hearing will be held next week on a request for a permanent injunction.

Judge Bayard B. Shields denied a petition for a temporary injunction brought before him by four individuals and four Protestant church groups from the Southside Estates area which claimed the school trustees overstepped their power Tuesday when they granted permission for use of the school to a Catholic parish being organized in the area.

The petition was signed by the Southside Estates Baptist Church, Prince of Peace Mission of the United Lutheran Church, Southside Estates Presbyterian Church and the Southside Estates Methodist Church. Individual signers were Dr. Stanley R. Hahn, pastor of the Southside Estates Baptist Church, who said he signed the petition as "an individual and not as pastor of my church;" Mrs. Carolyn B. Ledbetter, president of the Southside Estates P-TA; Mrs. John E. Roumillat and Mrs. George W. Turner.

The petition alleged that the school trustees had violated Section 6 of the Declaration of Rights of the Florida Constitution. This section says "No preference shall be given by law to any church, sect or mode of worship, and no money shall ever be taken from the public treasury directly or indirectly in aid of any church, sect or religious denomination, or in aid of any sectarian institution."

Attorney Edward S. Parrish Jr., representing the petitioners, said the complaint alleges that taxpayers' and freeholders' money "is being utilized by the Roman Catholic Church, Diocese of St. Augustine, to use the school as a place of worship . . . and that use of public buildings by a church violates one of the foundations of our country, that is, the complete separation of church and state."

Parrish argued that use of the school would cause the taxpayers to suffer damages, through potential damage to the school property, wear and tear and expenses for such things as lighting and heating.

Union

A. M. Foote Jr., attorney for the school trustees, argued there would be no irreparable damages as a result of the worship services.

Judge Shields said he would not grant the temporary injunction on "such short notice."

Sat 11-8-58

"This is a matter which requires more study by the attorneys as well as the court," he said. "I don't see any irreparable damage and the case can wait a few days."

A hearing on a permanent injunction will be held before Judge Albert W. Graessle Jr. in Circuit Court some time next week.

The action highlights a controversy that broke out Tuesday when the school trustees granted permission to the Diocese of St. Augustine to hold two Masses each Sunday at the school while a sanctuary in the area is under construction.

Opposition to the decision became apparent Thursday at a meeting of the Duval County Board of Public Instruction, when a delegation from Southside Estates, including the ministers of the four petitioning churches, appealed to the school board to reverse the trustees' decision.

The group was advised, however, that the trustees had sole power to make such decisions.

Chairman Morgan F. Jones said that, in granting use of the school to the Catholics, the trustees also made the facilities available to any other church group, providing they pay the rental fee required, as the Catholics must do.

The Rev. James Gleckler, presently organizing the new Roman Catholic parish in Southside Estates, said use of the school was requested to stage Masses on Sundays only for the 500 Catholic families in the area. He said ground on Beach boulevard has been acquired for a sanctuary and parochial school, with construction slated to begin "immediately."

The trustees are allowing the congregation use of the school auditorium on Sundays from 8:30 a.m. to 1 p.m.

P. 17

Can't Foresee Shut Schools, Collins Says

Constitution
Atlanta Ga

TALLAHASSEE, Fla. (AP)—Gov. LeRoy Collins repeated Thursday he is unalterably opposed to any action by the Legislature which would lead to closing of the public school system.

He said he could not foresee any circumstances arising which would cause him to favor any plan which would result in closing of schools.

Collins also said he never expects to see complete race mixing.

Fri 10-3-58

"I don't think complete desegregation is desirable," the governor told his news conference.

P. 22

Collins said he saw no conflict between his proposal for congressional action to provide a plan for integration of public schools where feasible and Florida's pupil assignment law. The pupil assignment law was aimed at avoiding mass integration.

The governor said he believed that any county school board would welcome the type of assistance that would be provided by a congressionally created commission which would study community attitude and determine where integration of schools could be carried out without trouble.

Collins' Integration Plan Well Received by Governors

By JOHN BOYLES

Capitol Bureau Chief

Miami Herald
Miami Fla

TALLAHASSEE — Gov. LeRoy Collins' plan for asking Congress to enact laws easing school integration problems was "well received" by four other members of the executive committee of the National Governors Conference, in Chicago, an aide to Collins said Wednesday.

William Durden, Collins' chief assistant, said the governors decided not to take any action during their Chicago meeting because of the absence of committee members.

Thurs 12-4-58

The governors probably will take some action at their meeting in February unless a special session is called earlier, Durden said.

P. 20-A

Collins had taken with him a tentative draft of proposed legislation which would provide civil rights commissions in each state with power to determine when and where integration might be accomplished with a minimum of resistance and without violence.

Collins proposed the plan before retiring from the chairmanship of the Southern Governors' Conference at its meeting in Lexington, Ky., last September. However, he did not ask the Southern group to take any action on his plan, explaining he felt it should be dealt with by the national conference, of which he is now chairman.

Part of the plan was to have the National Governors' Conference executive committee call on congressional leaders and President Eisenhower or his representative to meet with a governors' committee before the bill would be introduced in Congress.

Collins' proposal would empower the individual state commissions to delay integration in any community where a study determined it would be imprudent.

The commissions would be named by the President, upon recommendation of the governor of each state. They would have power to supersede federal district courts in jurisdiction of desegregation problems.

Durden said others at the Chicago session were Govs Robert B. Meyner, New Jersey; Cecil H. Underwood, West Virginia; George D. Clyde Utah, and James Coleman Mississippi.

The committee appointed Govs. William Stratton of Illinois, William F. Quinn of Hawaii and Stephen McNichols of Colorado to three vacancies. No successor was named to Gov. George Anderson of Nebraska who has challenged his defeat at the polls.

Collins will not return to Florida until Tuesday. He goes to Washington today to make a final appeal to the Democratic Party's site committee to recommend Miami Beach for its 1960 national Democratic convention.

He will be in New York over the weekend on a Florida promotion project.

'Assume Proper Responsibility'

People's Rights More Important Than Government's, Collins Says

Miami Herald

CHICAGO — (UPI) — Florida Gov. LeRoy Collins, chairman of the National Governors Conference, urged the 49 states Thursday to "assume our proper responsibility" in relationship with the federal government and other nations of the world.

COLLINS

Collins, in an address to the Council of State Governments General Assembly of which he is president, said he is a firm advocate of states' rights but that the "paramount concern" of Americans must be for the rights of people rather than the rights of government, whether national or state."

Miami, Fla.

Collins did not mention the racial controversy that has thrust the states' rights issue to the forefront. But earlier in the conference he suggested a top level conference of state and federal leaders, including the President, to iron out the desegregation controversy. He suggested a top level conference of state and federal leaders, including the President, to iron out the desegregation controversy. He proposed legislation to facilitate desegregation only where and when it is found to be feasible.

Fri. 12-5-58

P. 24A

Collins noted considerable recent progress in efforts by states to take over more responsibility, including a 350 per cent increase in expenditures for local and state services, exclusive of federal aid, since 1940. He said there had been a 300 per cent hike in public education spending, 500 per cent for mental hospitals and 400 per cent in highway construction without federal aid.

"I yield to no one in my devotion to the rights of states to perform governmental functions properly within their jurisdiction, but I want no part of the slogan of states' rights if it is used as an excuse for doing nothing," Collins said.

"If our states genuinely desire to reverse or even restrain the trend toward greater assumption of authority by the national government, we must look for ways in which we as states can move now to assume our proper responsibility."

Collins said the states also should begin thinking in terms of themselves in relation to the rest of the world.

"For too long, (we) have been trying to grapple with our problems in a vacuum," he said. "We have neglected to look around us and see that what troubles us in state government has a sound relation to the rest of the world."

He said the "long range hope" for the states to obtain necessary funds locally to perform their services lies in the reduction of the "astronomical appropriations" of the national government for military and related services.

"No one wants to see America weaken her defenses so long as the Russian menace to the free world exists, but we must recognize that as we augment our armaments we are at best investing in temporary security," he said.

He said the missiles and satellites now hurtling into space "can never supply the answers to the achievement of mankind's highest goal, creative living dedicated to what is just and noble and Godly."

"Our truly great victories can only come in finding ways to bring to the front the good in man, not the evil; in seeking world disarmament, not greater striking power; in finding mutual understanding, not in assembling greater and greater tools of destruction.

"We have nothing to fear, and the world once again will learn it has nothing to fear from us if we will only allow the best that is within America to shine through.

"This is the alternative to the cold war; the road away from destruction; America's true destiny."

Indian Integration Becomes Complete This Fall

Herald

14d(1)

P. 5A

Miami

Fla.

Wed. 8-20-58

TALLAHASSEE —(AP)— Integration of Seminole Indians into Florida's public school system became 100 per cent effective Tuesday with agreement of Hendry County to admit them this year.

State School Supt. Thomas D. Bailey told the Cabinet Board of Education that Hendry County, the only county in the state which had refused to accept the Indian children in its public schools, had agreed to accept youngsters from the sixth grade up for the first semester.

He said that if space was available Indian fifth graders would be admitted next month. Otherwise they will wait until the second semester.

Only a handful of Indian children are involved. There are eight Indian youngsters in the sixth and higher grades and five in the fifth grade.

The federal government will continue to maintain a school at the Big Cypress Reservation in the southeast corner of Hendry County for first, second and third graders.

Bailey said that while Dade, Broward, Glades and Collier, counties with substantial Seminole populations, long have accepted Indian children in the public schools, Hendry County consistently has refused to admit them.

The Hendry County School Board has given as its reasons lack of classroom facilities and transportation problems. It is about an hour's drive from Big Cypress Reservation to the nearest white school and only recently have roads leading into the reservation been paved.

Bailey also disclosed that Union, Glades and Taylor County School Boards, implementing a 1957 law, will start conducting adult educational and vocational courses at penal institutions.

The total cost of providing the instruction in the Raiford State Prison in Union County, the Belle Glade Prison Farm in Glades County and a Road Prison Camp in Taylor County will be about $16,000 in state school money, Bailey said.

The cabinet voted to donate $2,500 from the state promotional fund to the Military Order of the Purple Heart to help finance its national convention at Daytona Beach, starting Aug. 26.

The city plans to borrow up to 3 million dollars to finance construction of the building and retire the debt from rental paid by state agencies.

Collins said he is willing to talk with Turlington, but he saw the city's proposal as a sound business venture for the state. Attorney General Richard Ervin said the plan is legal both under the legislative act authorizing branch capitols in various cities throughout the state and a Leon County local act.

FLORIDA OFFICIALS LOOKING FOR WAY TO PRESERVE PUBLIC SCHOOL SYSTEM

By CHARLES HESSER

Staff Writer, The Miami News
Special to The Atlanta Journal-Constitution

14d(1)

Charles Hesser

MIAMI, Fla., Sept. 27—Florida officials are looking around for means to preserve the public school system in advance of next year's Legislature which is certain to be sensitive to the racial situation.

The legislators are expected to be concerned about swiftly moving events on the integration front both in Florida and elsewhere in the South.

Although a Negro was admitted without incident to the University of Florida law school, some lawmakers are angered at this break with tradition.

When the court ordered the Negro's admittance, there was even some talk of a special session.

The National Assn. for the Advancement

FLORIDA

of Colored People also is moving to test the state's pupil assignment law.

Gov. LeRoy Collins, Atty. Gen. Richard Ervin and Thomas D. Bailey, school superintendent, already have held several conferences in an effort to find a solution.

"We're going to have to do some pretty serious thinking and come up with some answers before the Legislature meets," said Bailey.

Ervin is already on record as pledging support to a "parent option" bill before the 1959 Legislature. He said he would leave temporarily a proposal which would permit the suspension of schools to avoid integration.

Journal & Constitution

Atlanta, Ga

The "parent option" bill, which was offered unsuccessfully in the past to the Legislature, would permit parents to withdraw their children from an integrated school. The child could be sent to another school.

The county operating the school from which a parent withdrew a child would not lose state financial assistance.

Bailey says the state's compulsory attendance law also may be changed.

Sun

9-28-58

Under the present law, parents taking their children out of school except for health reasons can be fined up to $100 and jailed for 90 days.

Bailey does not want the law repealed in full—that would open the door for parents to take youngsters out of school to put them to work or for other reasons unrelated to the racial problem.

P 4E

The school chief said the Legislature could overcome this by writing into law a provision whereby parents could withdraw their children without penalty in the event of a court order to integrate.

~~P 4E~~

The Week in Florida

Journal

Atlanta, Ga

Sun 9-28-58

P 6E

Collins has disclosed the state **must trim another $24,000,000 from authorized expenditures to stay within revenues.** At the same time, the governor hinted the state might as well expect some **new taxes** next year . . . Things **are looking up for Florida's agriculture industry** which was staggered by last winter's freezes. **Florida Citrus Mutual,** the giant cooperative which markets more than 85 per cent of the state's fruit, said that three-quarters of the 1958-1959 crop **will be sold** by Nov. 1—and at **double normal prices** . . . Employment in Florida never dropped below that of a **year** previous during any month of the recession, the State Industrial Commission reports. Florida's employment record was **approached** by only two other states in the nation, New Mexico and South **Dakota.** All other states lost employment . . . A **proposal** has been made to **double the cost** of Florida's $1.25 **drivers' licenses** by a statewide committee on highway safety. The increase **would finance** an expanded driver's **education program** in the public schools and **provide** an **additional** 75 on-the-road highway **patrolmen** . . . The **University of Florida** will reach a **record enrollment** of more than **12,400 students** this year.

Just the Best for 'Baby'

"Baby," a middle-aged part-Persian cat, is assured of enough cat food to last for nine lives. Mrs. Alma Culbert of St. Petersburg, her mistress, willed the cat the income from a $23,000 estate.

The will said a friend of Mrs. Culbert's, Elsie Zustovich of Barnstable, Mass., is to live in the Culbert house to take care of "Baby." Income from the estate is to pay taxes and utility bills, buy food for "Baby" **and other necessities.**

Race Plan Of Collins Cheered

Herald

P. 25A

Miami

Fla

Press Lauds It; Congress Mum

14d(1)

Sun. 10-19-58

TALLAHASSEE — (AP) — It was some four weeks ago that Gov. LeRoy Collins brought to the nation's attention his proposal that Congress set up federal-state commissions to deal with the school racial crisis.

What had been the reaction to this proposal? What is Collins doing to push it along?

There has been little reaction among congressmen. The plan has drawn considerable notice, mostly but not unanimously favorable, among newspapers, both North and South.

And Collins, who says he is encouraged by reaction so far, is preparing to push the proposal vigorously at the Dec. 2 meeting of the executive board of the National Governors' Conference in Chicago.

In brief, he has proposed that Congress provide for a commission for each state, appointed by the President with approval of the governor of the state. This commission would

take over original jurisdiction in school racial matters from the federal district courts. It would decide whether integration could be carried out or whether segregation should continue. When its actions were final, its orders would be subject to review by the courts.

Collins said he expected extremists on both sides of the racial question to oppose his plan.

"But I have been greatly encouraged that responsible publications have found the plan worth mention," he added.

Here are some editorial comments on the plan:

MINNEAPOLIS MORNING TRIBUNE: "We are not sure that his plan is feasible in all respects yet it obviously represents the thoughtful groping of a Southern leader toward a solution of the present intolerable deadlock."

BOSTON TRAVELER: "Obviously the plan will have to be given close scrutiny to make sure it will not be used to stall integration indefinitely. But meanwhile it is refreshing to hear a responsible governor call for cooperation with the federal courts instead of defiance of their orders."

CHRISTIAN SCIENCE MONITOR: "Gov. Collins idea would keep control of implementing the Federal Constitution in the hands of the President and the Supreme Court. It might add invaluable ingredients: Regional and local counsel with the measure of responsibility that must flow with it."

WASHINGTON DAILY NEWS: "We don't know whether Gov. Collins' suggestion for an act of Congress setting up rules for gradual school integration is feasible, but it is worth serious consideration."

NASHVILLE TENNESSEAN: "As encouraging as it is to hear the chairman of the Southern Governors' Conference talking of finding a solution to the desegregation problem instead of acting to compound it, his proposal for congressional action does not warrant great expectations."

TOLEDO TIMES: "There is no mistaking it. Gov. Collins offered the proposed solution, the only one that will be effective."

Dade Race Study Hailed

Herald p. 22A

Miami Fla.

Fri. 10-17-58

By BERT COLLIER
Herald Staff Writer

Two top officials gave their approval Thursday to the Dade school board decision to consider integrating Orchard Villa Elementary School.

BAILEY

Gov. LeRoy Collins said the board acted wisely. Thomas D. Bailey, state school superintendent, said the study will be "very valuable."

In Miami, the Dade County Council on Community Relations offered its services in sampling public opinion and supplying facts on integration efforts elsewhere.

The school board said it wanted to study the practicability of making Orchard Villa a "pilot school" for integration on a voluntary basis.

Located in a neighborhood where many Negroes are taking over homes formerly owned by whites, the school would accept applications from students of both races, if the idea is found to be workable.

Collins told reporters at Tallahassee:

"They are just seeking information upon which they may later base some conclusions. I think the board should be encouraged in doing this."

The governor said Florida's Pupil Assignment Law "especially anticipates that boards will give consideration to sociological and psychological factors, and certainly they cannot intelligently consider those factors without determining the facts existing in the community affected."

Collins said the assignment of pupils is a local matter.

"If in any community it is the feeling of those responsible for the school program that there is a need for study, certainly I think they should go ahead and make the studies that they feel will best permit them to apply our laws as they exist."

The plan adopted by the Dade school board Wednesday was proposed by Jsese Yarborough, a member, who conferred with in a closed conference with Collins and school officials of other counties last week.

Asked about this conference, Collins said he is pledged not to say what took place.

One of the topics, it is understood, was the possibility of state aid to counties fighting integration suits.

School Supt. Bailey said the school board has full legal authority to move toward possible integration.

The Dade County Council on Community Relations was established in 1952 as the result of a series of racial and religious bombings in the Miami area. It has frequently called for a start toward integration, in compliance with the Supreme Court mandate.

In a letter to the school board Thursday, the council commended its action and offered assistance.

"Our role, of course, is basically that of gathering together a cross section of community leadership to evaluate situations, submitting findings and suggestions to the appropriate body.

"This, obviously, is an advisory function which leaves final decisions where they properly belong—in the hands of your board."

Mixing Talk Pinches

Herald p. 1 Section D

Pupils Dwindle In 2-Race Area

Miami Fla.

Fri, 10-17-58

Enrollment in Orchid Villa Elementary School, mentioned as a possible site for an integration experiment, has dropped to half of its capacity while other schools in Dade County showed rapid gain in pupils.

The school, built to handle 420 students, had only 235 enrolled as of Sept. 26. Withdrawals since then have occurred at the rate of about six a week, despite crowded conditions in other schools.

Enrollment at the school hit its peak in February, 1957 when 429 pupils were attending classes. This was a few weeks after the first Negro family moved into the neighborhood of the school at 5720 NW 13th Ave.

A year later, when five more Negro families had moved into the area, enrollment was down to 388. Growth of the Negro population the last few months has been swift.

A Herald reporter who visited the school during the noon hour Thursday was forbidden by Principal Zola Commons to speak to teachers and was allowed to visit the school only after getting permission from Dade County Supt. Joe Hall.

The principal involked a seldom used regulation aimed at keeping peddlers off the school property.

Mrs. Commons refused to comment on the decline in enrollment and said she didn't know the present enrollment figure. However, a casual check of the classrooms revealed nine out of 14 occupied and approximately 190 students present.

Integration Suit Filed In Tampa

Miami Herald

TAMPA — (AP) — Five Negro families filed a suit in Federal Court here Wednesday aimed at breaking down segregation in Hillsborough County white schools. Their lawyer indicated their target date is the opening of schools next September.

Miami Fla.

Negro Attorney Francisco A. Rodriguez filed the suit for the Negro parents against School Superintendent J. Crockett Farnell and the County School Board.

It was the first such suit filed here and the first step taken by Negroes to crack segregation here.

Thurs. 12-11-58

Rodriguez said the suit sought to enjoin the School Board from the practice of segregation and asks a declaratory decree which would order the School Board to begin some program of integration.

P. 1

He said it is a class suit which would affect all other Negro children similarly situated. Children of the Negro parents named as plaintiffs in the suit live in remote areas where they have to travel long distances to attend Negro schools, passing by closer white schools.

Call To Reopen Schools Sounded

News Courier

By J. W. DAVIS

Charleston S.C.

Tues 12-2-58

P. 1

WASHINGTON (AP)—A call for reopening the 13 Southern schools which were shut down to keep out Negroes was raised Monday by Arthur S. Flemming, secretary of health, education and welfare.

He figured that 16,400 children are missing their customary classes in Little Rock, Ark., and Norfolk, Charlottesville and Warren County, Va., and said:

"The thing to do now is to point up the seriousness of the situation so that citizens of the local commuties will take action to restore the opportunities within the decisions of the courts.

"The closing of the schools is indefensible and they should be reopened. It is indefensible from the standpoint of what is being done to children in these communities."

Flemming, a professional educator from Ohio, spoke out at a news conference after groups interested in primary and secondary education urged that his department make a study of the impact of the school closings.

He noted that of the 16,400 pupils, some educational provision has been made for all but about 3,400, and added:

"There is little question, however, that young people in these improvised classes are not receiving the same quality of well-rounded education they would have received in regular public schools."

He also said it seems apparent that private schools such as those set up in Little Rock would not likely be able to qualify for federal loans under the new Aid to Education Act.

The schools were closed under state laws enacted to resist the Supreme Court decisions upsetting the traditional Southern pattern of separate education for whites and Negroes. The closings have been endorsed by a majority of voters in Little Rock and Norfolk.

Flemming Asks School Reopenings

HEW Secretary Tells Effects of Barring Classes

Post

Washington D.C.

Tues. 12-2-58

P. 1

Citizens of four communities in Virginia and Arkansas should demand action to open schools closed in the face of desegregation orders, Arthur S. Flemming, Secretary of Health, Education and Welfare, said yesterday.

Flemming made the statement at a press conference after he released a stinging report on the effect of closing schools in Little Rock, Ark., and Norfolk, Charlottesville and Warren County, Va.

He told reporters in answer to a question that localities should insist that the schools be opened "in harmony with the decisions of the Supreme Court."

"Tragic . . . Waste"

The Secretary termed the present situation "a tragic circumstance" and a "waste of human resources."

The full text of his official report follows:

Last September an unpredented thing happened in America.

Teachers were ready to teach, young people were ready to learn, classrooms, boks, and other facilities were all ready—but in four communities 13 schools did not open.

This was a tragic new circumstance in a Nation which has proudly pioneered in providing free public education for all.

Today, the schools are still closed—four schools in Little Rock, six in Norfolk, two in Charlottesville, and one in Warren County, Va. No one can predict when they will reopen.

Appropriate Time

At a news conference two weeks ago, I was asked for an evaluation of the effects of closing these schools. I feel that this is an appropriate time to make such an evaluation in view of the fact that this week the closed schools are passing the deadline when it is impossible for them to complete the recognized minimum school year of approximately 180 days by June 30. Any effort to complete the school year during the summer months would involve, of course, the payment of additional salaries to teachers and members of the school staff and would undoubtedly be very difficult to arrange.

A precise evaluation, of course, is impossible. There are some measurable factors such as days of schooling lost. There are reasonable surmises as to obstacles the young people may face in the future. But no one can foresee all the significant social, economic, and psychological effects—on the children, on teachers, on the community—of closing the doors of public schools to our young people.

I am indebted to the Southern Education Reporting Service for statistical data on the number of regular schooldays lost and the emergency arrangements which have been made for many students. A summary of the situation in each community is attached.

Since the normal date for opening school, about 16,400 young people already have missed 54 to 63 days of learning in their regular public schools—a total of nearly 1 million pupil-days.

Of these 16,400 students, approximately 6500 are attending improvised emergency classes in homes or makeshift quarters, many of them without laboratory equipment, libraries, or other needed facilities.

Tues. 12-2-58

About 3000 are traveling varying distances to public schools in other communities. A little over 1500 are attending newly established private schools set up especially for this emergency—schools which also often lack laboratories, libraries, and other needed facilities. Approximately 250 to 300 are attending regular private schools. Others are attending special night classes in nearby public schools, or getting part-time education by mail or through other special courses.

It is clear that many parents, teachers, and students have improvised to meet the situation, in an effort to carry forward some type of educational program. There is little question, however, that many young people in these improvised classes are not receiving the same quality of well-rounded education they would have received in regular public schools.

And all these emergency arrangements still leave about 3400 young people apparently deprived of any schooling whatsoever.

Effects on Teachers

There were about 720 teachers in the closed schools. About 405 apparently are tutoring in improvised classes while 315 evidently are not teaching. Virtually all are continuing to be paid—this year—under their contracts.

It seems logical to conclude that many of these teachers will not be interested in continuing their professional careers under the conditions that now confront them in these communities. They will have no difficulty in obtaining employment elsewhere in view of the fact that we are confronted with a national shortage of approximately 132,000 teachers.

I was impressed by the following testimony in Federal Court by Mrs. Mary Johnson, a Norfolk teacher for 36 years, as quoted in the press:

"They (teachers) have put their whole lives in public schools—they see what they have spent all their lives building up falling apart—I can't really describe to you the feeling of insecurity."

Norfolk School Superintendent J. J. Brewbaker was quoted as testifying that school closings were having a demoralizing effect on teachers, and that the State of Virginia as well as Norfolk would have a hard time obtaining instructors next year.

Effects on Young People

While educational losses to the young people involved cannot be measured precisely, there are many reasons for grave concern. Following are some of these reasons:

Some of the young people who are out of school now may never return. During prolonged absences from school some young people develop other interests and lose their motivation or desire to return to school or go on to college.

Some of those who return to school may not do as well in their subjects. Extended absence frequently causes young people to lose interest in regular, intensive study.

Desirable habits are broken. Further, because of the long void since they last attended regular classes, many students will have to spend more time reviewing earlier studies before they will be well prepared to move ahead into new ground.

Difficulties Seen

Students who return to school after taking part-time courses this year, or only one or two classes, will have difficulty finding their place in the normal sequence of the school program. Because of the wide variations in education received by students during the period the regular schools are closed, the schools themselves will have difficulty reestablishing well coordinated classes and curricula.

Students who miss long periods of regular education lose much more than formal schooling in the basic academic subjects.

They lose the benefit of many other regular activties which are a part of the ordinary schoolday. They miss the exposure of good literature, magazines, and reference books in school libraries. They lose opportunities to acquire an appreciation of outstanding music and art.

They lose the values of such facilities as science laboratories, machine shops, gymnasiums. Some pupils who are not in school may find some of these opportunities in the home, church, or elsewhere in the community, but such opportunities often are quite limted.

'Serious Obstacles'

Many of the 2360 seniors in the closed schools, who had planned to go to college next year and still want to do so, will find serious obstacles in their way.

For example, for some, failure to complete a school year of 180 days will create problems when it comes to acceptance of credits for entrance into college. Some students may be able to overcome such handicaps through individual effort, or by taking special tests; but many students who miss all or part of their regular senior classes may have difficulty meeting college entrance requirements.

There are other effects of closing public schools which may be less immediate but which are significant in the long run. For example, sporadic or insufficient schooling can seriously lessen a young person's future earning power and productivity.

Also, many young people need the sense of purpose—the moral and social guidance—provided by regular attendance in school. There is little doubt that the lack of regular, constructive activities in school con contribute to delinquency.

Further, children who are suddenly unable to attend their regular school may develop a sense of insecurity, a fear that they will not be able to advance in competition with others who are receiving a normal education.

Finally, prolonged and enforced absence from school can affect the development of a young person for future citizenship. Throughout the history of this country we have increasingly come to understand that our free society can prosper only on the base of an educated and informed citizenry, achieved through free public education for all.

When young people in America are denied the opportunity of attending school, we risk a loss of their faith in one of America's highest ideals.

I am confident that as the losses flowing from the closing of public schools become more and more evident, the citizens of these communities are going to insist on decisions being made that will result in the schools being opened, under policies that will be in harmony with decisions of the courts.

DATA BY COMMUNITIES ON STUDENT DAYS MISSED AND EMERGENCY EDUCATIONAL ARRANGEMENTS.

Norfolk—9950 young people have been out of their regular classes for 59 school days. About 1620 students are attending regular public schools in other communities; 948 are attending special night classes in South Norfolk; about 4200 are attending special tutoring classes taught by public school teachers; about 100 are in regular private schools, and 250 are attending newly improvised private schools. This leaves about 2525 who apparently are getting no education.

Little Rock — About 3700 young people have missed 60 days in their regular schools. About 1300 students are enrolled in full-time private schools; 1628 are enrolled in public schools in other communities; 527 are getting part-time education by mail or in special private classes; about 604 young people apparently are getting no education.

Charlottesville — 1735 young people have missed 63 days in their regular classes. About 1485 students apparently are attending private, emergency classes taught by public school teachers; 50 to 100 are in regular private schools; a few are attending public schools in other communities. This leaves 90 to 140 who apparently are not attending classes at all.

Warren County — 1044 students have missed 54 days in their regular classes. About 780 are in emergency private classes; 90 to 100 are in regular private schools or public schools in other communities. Apparently about 160 are not in school at all.

ARTHUR S. FLEMMING
. . urges action on schools

Dixie Resistance Called Dead End

Attorney General Appeals To All To Support Law

SPEAKS IN CALIFORNIA

By The Associated Press

CORONADO, Calif., Oct. 8.—Atty. Gen. William Rogers said Wednesday efforts in some Southern states to resist and evade the Supreme Court's school desegregation orders "lead but tortuously to a dead end."

Commercial Appeal

Addressing the California State Bar Convention, the attorney general said he recognized that many individuals were resisting the racial integration orders "out of deep personal conviction."

P. 47

Rights Issue Raised

He said some had relied on representations "by state officials and others that there was some constitutional means, other than closing down the public schools, by which they might maintain their traditional practices."

Memphis, Tenn.

"Tragic though it is, the closing of some public schools has demonstrated the fallacy of this notion," Mr. Rogers said.

He appealed to "all responsible citizens" to "take their stand on the side of the law."

Mr. Rogers said the Justice Department has received hundreds of letters on the desegregation issue, some of which raise the issues of states' rights and rule by the majority.

Thurs

10-9-58

Cites Constitution

"In the field of public education, a state is free to work out, as it chooses, the details of its public school system," he said, but added:

"What the Supreme Court has held is that a state violates the Constitution of the United States when it denies to a Negro child who is otherwise qualified for admission to a particular public school and who seeks admission, the right to enter that school . . .

"The Constitution does not mean one thing in Maine, another in Florida, and something else in California. People living in different sections of our country may have different viewpoints on particular issues, but constitutional rights are fundamental guarantees which may not be denied in any area."

"Where people have sought to comply, they have in every instance made progress," Mr. Rogers said. "On the other hand, those who seek to thwart compliance are sowing a bitter harvest . . . disrespect for law in one area breeds disrespect in others. And in an atmosphere of disrespect, ebelliousness [illegible] to violence."

14d(1) 1958

GENERAL

Public Support For Private Schools Proposed

News-Courier

Charleston, S.C.

Tues. 9-2-58

P-11B

WASHINGTON (AP)—A proposal was made Monday for public support of private church-affiliated schools and existing or future schools "devoted to legitimate ethnic or racial interests."

The proposal was described by its originator, Dr. Robert F. Creegan, professor of psychology and philosophy at New York State University's college for teachers at Albany, in addressing the American Psychological Assn.

Creegan told an association spokesman in a letter prior to the meeting he is neither a Catholic nor a Southerner. Catholic leaders have long advocated state funds for private religious school operations.

Creegan, in an address for a symposium on "subsidized pluralism," criticized the present system of public support for only public schools as monopolistic and containing some danger to liberty. The same would be true, he indicated, if only private schools were supported.

He said that "a monopolistic public philosophy of education which is designed to serve all groups serves none of them well."

"A system which must be religiously neutral because serving persons from a variety of religious backgrounds," he said, "becomes in effect an opponent of every religious way of life and a proponent of secularism. . . a system which serves every ethnic and racial group becomes in effect amalgamationist."

Under Creegan's proposal, the states would subsidize and partially control the schools so subsidized — that is, they would be open to inspection and subject to some curricular control.

Supporting Creegan's proposal was Dr. Charles Donahue, professor of English at Fordham University, a Roman Catholic college.

Donahue said supporters of religious schools must pay their full share in taxes to support a state school system "which they sincerely feel is incompletely suited to the particular needs of their children."

But opposition to the proposal was voiced by three other speakers at the symposium.

Richard Plaut, president of the National Scholarship Service and Fund for Negro Students, asserted that until Negroes can attend all schools on the same basis as whites, all segregation is involuntary and indefensible. He said Negroes find themselves in a segregated school situation by compulsion rather than choice, whereas some Catholics send their children to a parochial school as a matter of choice.

Prof. Martin Chworowsky of the University of Pennsylvania and Dr. Marshall Sklare of the American Jewish Committee opposed the idea on the ground that separation of church and state would be violated and intergroup tension would be intensified.

In The Nation

The Realities of the School Integration Issue

By ARTHUR KROCK

New York Times

New York N.Y.

Thurs. 9-4-58

14d(1)

general

P. 28C

WASHINGTON, Sept. 3—The Governor of Virginia and the District Federal Judge in Norfolk have separately made statements which have the common quality of accepting certain realities about racial school integration that the extremists on both sides of the issue reject.

Governor Almond at a news conference, observing that "Virginia can't secede from the Union"—and "has no desire to"—on the legal claim of the superiority of state over Federal power on this question, held that state "interposition" between Federal mandates and their local enforcement amounts only to a "firm protest" and not an act of nullification. Judge Hoffman in Norfolk, overruling the plea of the Norfolk School Board for another year's delay in school integration, simultaneously gave notice that if the Supreme Court grants delay on similar grounds to the School Board of Little Rock he reserves the right to change his ruling accordingly.

Both statements are in effect concessions of legal and factual elements in the controversy that the opposing diehards decline to concede. State interposition against enforcement of a Federal statute or Federal judicial construction of a constitutional principle has been advanced in several Southern states as a legal exercise of state power which supersedes the Federal. Delay in racial integration beyond the opening of this year's school term in Little Rock, Ark.; Arlington, Charlottesville and Norfolk, Va., and other Southern communities has been represented by anti-segregationist lawyers as positively and patently subversive of the basic requirement of the Supreme Court's 1955 decree for a "prompt and reasonable start."

Those very words, however, leave the advent of integration to the judgments of local school boards—subject to evaluation by the Federal courts on the tests of whether, as set forth in the Supreme Court's 1955 decree, any "additional time" requested "is necessary in the public interest and is consistent with good faith" in executing the decree. The Eighth Circuit Court of Appeals, on these criteria, denied the request of the Little Rock School Board eighteen months' additional time. But the criteria were established by the Supreme Court, and their judicial evaluation in any integration case presents a factual and not a legal question on which the Supreme Court conceivably might differ from the court below. Judge Hoffman's announced intention, in the event this happens in the Little Rock case, to "reconsider" his rejection of the plea of the Norfolk board is implicit recognition that a request for further delay is not noncompliance, per se, as charged by extreme integrationists.

The Power of Compulsion

Governor Almond at his news conference did not limit his realism to what he said about the purely doctrinal nature of state interposition in the American Union of today. He will, he said, as commanded by state law, instantly close any Virginia public school in which racial integration occurs, and cut off its public budget allotment. He will, from state and local funds, provide tuition allowances for nonsectarian segregated schools or for private schooling where no public education is available.

But if—the Governor seemed to be saying "when"—the Federal courts hold this State Pupil Placement Act unconstitutional, "what can you do," he asked, "in the face of overwhelming power? You certainly don't accept it, but you might have to take it between the eyes. You might have the power to jump on me and give me a thrashing, though I wouldn't recognize your right to do so."

"In a contest of power between the state and Federal Government," he added, the latter power "prevails." And state laws cannot relieve the school boards, in communities where the Federal courts have ordered desegregation, of their responsibilities to obey. These comments have persuaded observers that the Governor is preparing Virginia for a degree of school integration by local authorities to whom eventual circumstances will compel him to return some schools he has closed under state law.

But these concessions to realism by Governor Almond definitely do not mean that he or the overwhelming majority of Virginia citizens will, in the foreseeable future, accept racial school integration in the spirit essential to prevent a breakdown of Southern public education, especially for Negro pupils. And that has been the heavy prospective cost to the public interest of the Supreme Court's 1954 decision from the moment it was made

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Would Bar Separation In Schools

Journal & Guide

N. Y.'s Celler For Bolstering Ruling Of Highest Court

Norfolk, Va.

Sat. 12-27-58

WASHINGTON — (UPI) — The author of the 1957 civil rights law said last week that he will introduce a bill that would make it a crime to enforce racial segregation in public schools and colleges.

Rep. Emanuel Celler (D-N. Y.) said his measure would implement and speed up enforcement of the Supreme Court's 1954 decision that segregation in public schools is unconstitutional.

CELLER, chairman of the House Judiciary committee, which handles civil rights legislation, told United Press International that he will introduce and hold hearings on his new proposal soon after Congress convenes Jan. 7.

He said it stands a good chance of passage in view of the number of new liberal members entering Congress.

OTHER SOURCES said that while such a bill might win House approval, its prospects in the Senate were poor.

Celler's proposal would make it a violation of law to require segregation in any public school and subject those who do to fines or jail sentences. But Celler said he doubted there would be any need to impose jail terms for violations.

• • •

THE COURT'S ruling was based on constitutional grounds. It held that refusing admission to public schools because of race violated the 14th amendment, guaranteeing equal protection of the laws.

Celler said a comprehensive law declaring enforced segregation illegal would make it much easier to obtain compliance with the Supreme court decision. The only enforcement weapon now is contempt of court proceedings.

* * *

THE CONGRESSMAN also said his bill would restore Title III which the Senate eliminated from the 1957 law. This would permit the Justice department to seek court orders to protect a variety of civil rights. The law now limits this authority to protection of voting rights.

14d9) General

2 Senators Fight Mix Legislation

Robertson, Thurmond Defy Proposal To Implement Integration Rulings

Atlanta Journal

Atlanta, Ga

Atlanta Journal

Atlanta, Ga 9-28-58

Jun 9-28-58

P. 10-A

WASHINGTON, Sept. 27 (AP)—Two Southern senators took firm stands Saturday against any effort by Congress to set guide lines for carrying out the Supreme Court's school integration rulings.

Sen. Strom Thurmond (D-SC) said he regards the court's decision as unconstitutional and therefore is opposed to any measure to implement it.

Similarly, Sen. A. Willis Robertson (D-Va) said Congress has no power to pass legislation to implement something he said is not provided for in the constitution.

This was their reaction, in separate interviews, to a proposal of Gov. Leroy Collins of Florida that Congress make legislation on the subject its first order of business on reconvening in January.

Without going into detail, Collins suggested at the Southern Governors Conference this week that Congress seek ways to change the present pattern of conflict over school desegregation.

He indicated he had in mind legislation that might result in speeding integration in some areas while avoiding "improvident, forced desegregation" in others.

* * *

BUT, with signs fast multiplying that the school controversy is kindling another bitter civil rights battle in Congress, there are obvious hurdles in the way of reaching a compromise.

Journal

Atlanta Ga

Southern senators already are on notice that with the start of the new session a bipartisan drive will be made to weaken their power to wage filibusters against civil rights measures.

In addition, fresh demands have been made for revising the civil rights act passed by Congress last year so as to give the attorney general authority to file suits to enforce the Supreme Court's school integration decision.

Jun 9-28-58

P. 10-A

Sen. Clifford P. Case (R-NJ), in a speech prepared for the New Jersey state conference in Trenton of the National Assn. for the Advancement of Colored People, said Saturday night that in the next Congress efforts also should be made to improve court procedures for handling school desegregation cases and speeding appeals.

* * *

"THE DIFFICULTIES, conflicts and even violence" that have marked the effort to end segregation in public schools in the South provide no reason to give up the struggle, he said.

Case said that in Little Rock, Ark., and in communities in Virginia where schools have been closed in the face of federal court orders to admit Negro students, there are signs that "reason is replacing emotion."

"Confronted with a choice between ignorance and integration for their children," he said, "conscientious parents are beginning to resist the idea of resistance at any cost."

However, both Thurmond and Robertson said in opposing any legislation to implement the desegregation decision that the Constitution leaves control of public schools exclusively to the states.

The drafters of the 14th amendment, on which the court based its decision, never intended for it to cover schools, Robertson said. The amendment guarantees equal protection of the laws to all.

Road ahead foggy—

Race issue unrest hangs over South as '58 wanes

Birmingham

News

Birmingham

Ala

Fri 12-5-58

P-8

NASHVILLE, Tenn., Dec. 5—The South moved toward year's end with three newly issued federal court decisions on segregation-desegregation and with one Southern state debating whether to revise its massive resistance stand against school integration.

While these provided the main spot developments in November, some Deep South states prepared to buttress their pro-segregation stand with new statutes when their assemblies meet in 1959, a survey by Southern School News indicated.

Latest legal rulings included:

(1) The Supreme Court held on Nov. 24 that Alabama's Pupil Placement Law was constitutional on its face.

(2) A three-member federal court in New Orleans on Nov. 26 held unconstitutional the 1956 Louisiana legislative act prohibiting athletic competition among whites and Negroes.

(3) A U. S. district court on Nov. 19 ordered the Delaware state Board of Education to submit a plan for general statewide desegregation by March 3.

VIRGINIA, WITH schools still closed in three communities rather than obey federal integration decrees, was the center of speculation over whether its general assembly might be called into a special January session to draft new laws in its stalemated resistance program.

The Southern School News survey showed 15 of the 17 Southern and border states will hold 1959 legislative sessions, with new anti-integration measures slated to be added to the more than 200 already on the books.

Regular legislative sessions will begin next month in Arkansas, Delaware, Georgia, Maryland, Missouri, Oklahoma, South Carolina, Tennessee, Texas and West Virginia. Regular sessions also will be held in North Carolina in February, Florida in April, Alabama and Louisiana in May.

IN ADDITION, special sessions will be held next month in Alabama and Virginia.

Other developments by states:

ALABAMA — Democrats won statewide races, as usual, in the Nov. 4 general election but the vote was more lopsided. Democrats and Republicans agreed this represented a strong protest by white voters against the Eisenhower administration's intervention at Little Rock in particular and racial developments in general.

ARKANSAS—Dr. Dale Alford, a last-minute write-in candidate, upset veteran Rep. Brooks Hays in a congressional election in which desegregation was the only issue. Hays has been a "moderate" in the segregation-desegregation controversy, Alford a staunch segregationist.

DELAWARE—The state Board of Education, meeting a day after the district court ordered it to submit a desegregation plan, announced it would comply and set another meeting for Dec. 6

DISTRICT OF COLUMBIA—District schools reported a record enrollment, including 84,650 Negroes and 29,569 white pupils. Negro enrollment increased to 74.1 per cent.

FLORIDA—With a legislative session approaching in 1959, indications were that pressure is growing for stronger segregation measures. The state Parent-Teacher Assn. convention rejected an effort by segregationists to win endorsement of private segregated schools.

GEORGIA—The demand of Atlanta's Mayor William B. Hartsfield for a local option vote on the question of school closings in the face of desegregation sparked debate throughout Georgia.

KENTUCKY — Louisville for the first time in history elected a Negro to the city board of education.

LOUISIANA — Voters overwhelmingly approved a state constitutional amendment aimed at preserving segregation through public fund contributions to private schools.

MARYLAND — Fall enrollment figures showed more than one-fourth of Maryland county schools now enroll both white and Negro pupils.

MISSISSIPPI — Gov. J. P. Coleman, taking cognizance of mounting agitation on the segregation-desegregation question, urged the people to "keep clear heads and calm minds."

MISSOURI—A public housing project in St. Louis County developed into a political issue with a racial undertone. Residents of Jefferson Barracks area organized to oppose proposed multi-million-dollar development.

NORTH CAROLINA — North Carolina officials reacted with expressions of satisfaction at the U. S. Supreme Court ruling that Alabama's Pupil Placement Law is valid on its face. North Carolina has a law patterned pretty much along the lines of Alabama's.

OKLAHOMA — Oklahomans were told their state was well on the road to compliance with desegregation and that the question would occupy a role of only minor importance in the 1959 Legislature.

SOUTH CAROLINA — Farm Bureau and Citizens Council groups at separate meetings proposed that the state get on with plans for private schools in the event of closures resulting from forced integration.

TENNESSEE — A Nashville jury sentenced John Kasper to six months' imprisonment and fined him $500 for his part in disturbances at the opening of integrated city schools in 1957. He continued at liberty pending an appeal.

TEXAS — Dallas prepared an appeal from a state district court's dismissal of its suit seeking clarification of its status under new state laws.

VIRGINIA—Gov. J. Lindsay Almond said that if and when the state's present anti-integration laws are nullified he would appoint a legislative commission to look into suggestions he would make.

WEST VIRGINIA — Officials, mystified at the dynamiting of the integrated school at Osage, said they still were without clues as to the reasons behind it.

14d(1) 1958 GENERAL SECRETARY ARTHUR S. FLEMMING
SEC'Y. -HEALTH,EDUCATION AND WELFARE

Health, Education Secretary Declares That

Dixie Youths Lost Million Days To 'Indefensible' Integration Dodging

Birmingham World

Birmingham Ala.

WASHINGTON (UPI) — Arthur S. Flemming, Secretary of Health, Education and Welfare, said Monday that Southern youngsters have missed a million days of public schooling because of the "indefensible" closing of their classes to block integration.

Flemming told a news conference that 3,400 children in Little Rock, Ark., and Norfolk, Charlottesville and Front Royal, Va., still were not getting any schooling. He said in a prepared statement that 16,400 students each have missed between 54 and 63 days of public instruction.

The secretary also said it did not appear that the segregated private schools set up in Little Rock to replace the four closed high schools would qualify for federal loans under an aid to education bill passed by the last Congress.

Sat. 12-6-58

FORCEFUL STATEMENT

Flemming, in one of the administration's most forceful statements on the school dilemma, branded the closings "indefensible." He said the marks they left on children and communities were cause for "grave concern."

He predicted that citizens would demand that their classrooms be reopened to both white and Negro pupils as the ill effects of the closed schools mounted.

In his list of the consequences of the closings, Flemming said there was little doubt that "the lack of regular, constructive activities in school can contribute to delinquency."

P.1

In addition, he said, seniors would find serious obstacles to getting into college. Some youngsters never will go back to school, he said, while others will have difficulty making up missed work.

MISSING BENEFITS

He said children closed out of their schools are missing the benefits of good literature, music and other activities. The closings also are impairing the development of citizenship, he said.

Flemming prepared the six-page statement in reply to a news conference question two weeks ago asking him to evaluate the school closings.

Of the 16,400 students who have missed as much as 53 days of public schooling, Flemming said, about 6,500 are attending makeshift emergency classes in homes and other such quarters.

Flemming was formerly president of Ohio Wesleyan University in Delaware, Ohio.

Flemming Cites Loss In Closing of Schools

The closing of public schools in the anti-integration fight is seriously affecting students' development, Health, Education and Welfare Secretary Arthur S. Flemming said yesterday.

Evening Star

Secretary Flemming, at a news conference, released an evaluation of the effects on students and teachers of the closing of schools in Little Rock, Norfolk, Charlottesville and Warren County, Va.

Washington D.C.

He said the evaluation was appropriate at this time because "this week the closed schools are passing the deadline when it is impossible for them to complete the recognized minimum school year of about 180 days."

Secretary Flemming said a "precise evaluation" was impossible. But he made these points:

Wed. 12-3-58

1. About 720 teachers are affected. Many of these teachers will not continue to teach under present conditions.

2. Prolonged absences from school may result in loss of a desire to attend secondary schools and go on to college.

Secretary Flemming said "sporadic or insufficient school can seriously lessen a young person's earning power and productivity." He said the children deprived of education may "develop a sense of insecurity" or a fear that they will not be able to compete with those receiving a normal education.

P A14

"I am confident," he said. "that as the losses flowing from the closing of public schools become more and more evident, the citizens of these communities are going to insist on decisions being made that will result in the schools being opened under policies that will be in harmony with decisions of the courts."

Statistics Released

Along with his remarks on the school closings, Mr. Flemming releahed a statistical study on the number of students affected.

The study revealed the following by city and county:

Norfolk—9,950 students have missed 59 school days. About 1,620 are attending regular public schools in other communities; 948 are attending special night classes in South Norfolk; about 4,200 are attending special tutoring classes taught by public school teachers; about 100 are in regular private schools, and 250 are attending improvised private schools. About 2,525 are getting no education.

Charlottesville — 1,735 students have missed 63 days of school. About 1,485 are attending emergency classes taught by public school teachers; 50 to 100 are in regular private schools; a few are attending public schools in other communities. About 100 are not attending any classes.

780 in Emergency Classes

Warren County—1,044 students have missed 54 days of regular classes. About 780 are in emergency private classes; 90 to 100 are in regular private schools or schools in other communities. About 160 are not attending classes of any kind.

Little Rock—3,700 students have missed 60 school days. About 1,300 are enrolled in full time private schools; 1,268 are enrolled in public schools in other communities; 527 are getting part-time education by mail or special private classes; about 604 are attending no classes of any kind.

Desegregation Progresses In Many Cities; Air Force Children Attend Biased Schools

Washington (ANP) — While the furor is being kicked up in hot spots in the school segregation picture in the nation — Little Rock and Virginia — there are other developments occurring in still other states of the South.

In Fulton, Ky., Negro students entered Fulton high school for the first time Tuesday.

Twenty-three students have made application to enter the school. Principal Mansfield Martin who personally interviewed and registered the students individually just as he does all new studens, said he does not expect trouble over integration of the school.

No High School

Previously, there have been no high shcool facilities for Negroes in the community, because there weren't enough Negro high school stuents to warrant [illegible] a school. The departm[illegible]ucation won't approve operating of a high school of less than 100 students.

About 20 per cent of Fulton's population is Negro.

Integrate Teachers

In Baltimore, another integration move will be made next month when 13 Negro teachers join the staff of white schools. Maryland's Baltimore county began integrating students in 1955. Today, only 19 schools out of 93 are still segregated.

Welfare Director Tohmas J. S. Waxter said recently the state should abandon a school for delinquent Negro girls and integrate the one now used for white girls.

Waxter said he would ask the 1959 legislature to consider this proposal.

Students Condemn Bias

In Delaware, Ohio: A group of Virginia students openly condemned school segregation.

The students, delegates at the National Students congress issued a declaration which said in part: "Though we are proud of the Southern community's way of life, we do not feel that a system that denies equal opportunities to some Southern citizens is either necessary or desirable as a part of that way of life."

The declaration was approved by a 33-1 vote, by delegates from the Carolinas, Virginia region and unanimously by Mason-Dixon region delegates. The latter region includes Maryland, West Virginia and the District of Columbia.

The student congress is a policy-making body of the National Student association which has 360 member colleges. The colleges represent one million stu-

No Mississippi Action

Mississippi, in the legal sense, is the fartherest from integration of any state in the nation. In a practical sense, it is about on a par with Georgia and South Carolina.

However, no suits have been filed by Negroes asking admission to white schools.

No Trouble

School officials predict that there will be no trouble, no "headlines" when school opens this fall.

Last year there were more than 100 districts with some Negroes in which schools. Only one more district, Bloomington, will be integrating for the first time. Another community, Boerne, turned down integration in a referendum earlier this year. Boerne has only two Negroes of school age.

Federal court orders requiring integration apply only in Dallas and Houston, and neither order has a deadline. Both cities have announced there will be no inteiration this year.

Air Force Bias

Despite the presidential directive against bias schools, children on the Air Force base, ironically near Little Rock are attending segregated schools.

Defender p. 1
Chicago Daily Defender
Thurs 9-4-58
14d(1) General
Louisville, Ky.

Defender
Thurs 9-4-58
14d(1)
General

Straight From Shoulder

Missionary Applauds Desegregation Ruling

Integration Trouble Will Be Over In 10 Years, Dr. E. Stanley Jones Predicts In Speech Here

Courier-Journal
Louisville, Ky.
14d(1) General
Thurs. 11-27-58
p. 30

A white-haired, world-famous missionary fired straight from the shoulder about race relations before Kiwanians and Rotarians yesterday.

"The best thing that has happened to our Southland is the Supreme Court decision," said Dr. E. Stanley Jones.

He said people will fuss and complain and try to circumvent the court's desegregation order.

"But in the end it will get us. My prediction is that in 10 years it'll all be over. . . .

"Our conscience will be clearer, and our democracy will be sounder."

Educated at Asbury College

Dr. Jones, a Maryland native who was educated at Asbury College in Wilmore, Ky., has been a Methodist missionary to India and an evangelist in America more than 50 years.

His numerous books—including "Abundant Living" and "Christ of The Indian Road"—have sold millions of copies.

Here for a spiritual-life mission at Fourth Avenue Methodist Church this week (10 a.m. and 7:30 p.m. through tomorrow), he spoke before a luncheon audience of the Kiwanis and Rotary clubs of Louisville at the Brown Hotel.

Dr. Jones said he saw by the morning paper that the National League's No. 1, 2, and 3 selections for most valuable player of the year were all Negroes.

"Yet we say they're inferior."

Given the same stimulus and the same incentive, Dr. Jones added, the achievements of men "come about the same" regardless of race.

Intermarriage Called Bugaboo

People say they fear intermarriage of whites and Negroes, Dr. Jones went on. But in 75 years of integration at Boston University, not a single known racial intermarriage has taken place. At Columbia University, there has been only one.

"So that's a bugaboo," he said.

"The mills of God grind slowly, but the laws of God are color blind."

The theme of Dr. Jones' address was "one word: it's the word 'all.'"

He cited the use of the word in the American creeds that proclaim "ALL men are created equal" and "with liberty and justice for ALL."

This should mean to the businessman, for example, that he should love his neighbor—or his employee—as himself, Dr. Jones said.

He told of a mill owner who paid union-rate wages, reserved 5 per cent of the profits for investors, and then split any additional profit 50-50 between the ownership and the workers.

'We're A Family, Not A Feud'

Was there any trouble? the owner was asked.

"No. We're a family, not a feud," he replied.

Equality and democracy should be applied to peoples everywhere, Dr. Jones asserted.

"Some people feel we should have democracy at home but domination abroad." This is no way to avoid Soviet encroachment on the depressed peoples of the earth, he said.

How do we apply the principles of justice and liberty to all? By having "a contagious faith in man, based on a faith in God," Dr. Jones said.

He urged his hearers—Jews, Catholics, or Protestants—to commit themselves, to go to their clergymen and say:

"I see what I am. I haven been in no man's land. . . . I'm going to commit myself to God and the church."

Asked later by a reporter how he viewed the upsurge of religious interest in America, Dr. Jones said he was not one to pooh-pooh it, as some have done.

"Underlying it is disillusionment—disillusionment with (materitl) things," he said. "We find we get too big for things. We were made for God, not for things."

This situation is not world-wide, he added.

In the Orient, there is a revival of nationalism but a steady decay in individual faith.

"The soul of the educated man in the East is tmpty," he said.

14a(1)

School Segregation In Dixie Dissolving In Spotty Pattern

By JIM THOMASSON

Jackson Miss

ATLANTA (AP)—Like sugar lumps in a spatter of rain, public school segregation in the three years since it was held invalid by the U. S. Supreme Court has been dissolving slowly in a spotty pattern toward the heart states of the Deep South.

There is some indication the action, mostly peaceful but marked by occasional violence, may go even more slowly, the deeper south it penetrates.

But of the 17 states which maintained separate schools for white children and Negroes prior to May 17, 1954, only in the seven citadels of traditional racial separation—Alabama, Florida, Georgia, Louisiana, South Carolina, Mississippi and Virginia—are all public classroom color barriers still intact today.

Wed 9/11/58

STRONG ATTACK

And in several of them, the practice is under strong legal attack.

Integration has proceeded inward from the border states. White and Negro pupils now sit in the same classrooms in at least some schools in Arkansas, Delaware, Kentucky, Maryland, North Carolina, Tennessee, Oklahoma, Texas, Missouri, West Virginia and the District of Columbia.

But the Southern School News reports in its latest edition that while 738 school districts have begun or accomplished desegregation since 1954, there remain 2,300 "biracial districts still tightly segregated." Southern School News is the publication of the Southern Education Reporting Service, a fact-finding agency created to compile information on developments arising from the Supreme Court decree.

Most of those 2,300 districts are, of course, in the Deep South states, but segregation areas also remain in virtually all of the border states, contributing to the spottiness of the over-all picture.

BRINGS FLAREUPS

Each of the three new school terms since the Supreme Court said that separation of children in public schools on the basis of race alone is unconstitutional has brought a flareup of disturbances.

Demonstrations hit areas in West Virginia, Delaware, Mar...

Last year, Clinton, Tenn., Sturgis and Clay, Ky., and Mansfield, Tex., were the trouble spots.

Little Rock, North Little Rock, Ark., and Nashville, Tenn., are the center of attention now.

But less well known have been demonstrations in such places as San Antonio, Tex., Oklahoma City and Tulsa, Okla., Kansas City and St. Louis, Mo., Louisville, Ky. and Ozark, Ark.

Why does violence flare up over integration in some instances, while desegregation goes along so peacefully in others?

Harold Fleming of the Southern Regional Council, an organization devoted to better racial relations, concedes there is no easy answer. He believes however, some contributing factors can be singled out.

The low ratio of Negro population and the cost of maintaining separate schools undoubtedly were factors in integration steps of some smaller systems, says Fleming.

PREPAREDNESS

Community climate and proper preparation he credits with aiding smooth integration in other areas. Under community climate, Fleming lists such things as a history of peaceful race relations, previous integration of ministerial or physicians groups, libraries, buses, playgrounds and the like.

St. Louis is cited as an example of preparedness. An extensive program was undertaken there, Fleming said, and integration was accomplished with a minimum of incidents.

On the other side, says Fleming, in places where the citizens and leaders are not ready for it and where there are strong or outspoken prosegregation groups, school integation is more likely to encounter difficulty.

After moving rather rapidly in the border states during the first two years, racial mixing in public school classrooms went forward at a slower pace this fall. Of the 738 districts which have begun integration, Southern School News reports only 25 were making the start this year.

The Publication actually listed 27, but that figure included Little Rock and North Little Rock, where the development has been balked at least temporarily.

Districts beginning integration this year include three in Arkansas, six in Kentucky, one in Maryland, seven in Missouri, three in North Carolina, four in Oklahoma and one in Tennessee.

14a(1)

general

Wed 9-11-58

HERE'S WHAT SUPREME COURT WANTS—The above picture shows results of successful integration in an elementary school in Louisville, Ky. Negroes and white pupils intermingle peacefully in one of the Border States that quickly desegregated schools following the U. S. Supreme Court decision.—Daily News-

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Many Southern White Teen Agers Favor Integration

14a(1)

New York---An increasing number of white teen-agers in the South are speaking out in favor of integrated schools, a survey in the new issue of Look Magazine disclosed today.

Based on numerous interviews with white high school students, writer Fletcher Knebel reported that "Dixie's new rebels" are advocating integration publicly and "even aggressively" and that "the impact of their views could grow with the years."

P 3

The magazine warned that it would be a mistake for Southern segregationists and state officials to shrug off these youngsters, many of whom have taken their stand only after long and tortured thought.

"For some," the Look article said, "it has meant opposing the deep-seated convictions of their parents, relatives and friends."

New Orleans

It would likewise to be a mistake, Knebel cautioned, for Northern integrationists and Federal officials to see youthful rebellion roaring through the Southern states.

Sat 11-29-58

"Rather, the revolt is a murmur," he said, adding:

"The young iconoclasts, moreover, are divided among themselves: Some of them positively favor integration, others are merely willing to accept it, while still others simply prefer an integrated school to a closed school. This last is by far the largest group."

14d(1) 1958

GENERAL

Tell It To Old Grandma

2-14d(1)

Your name and address must be given on letter ★ But upon request, name will often be withheld at the Editor's discretion ★ We reserve the right to shorten letters ★ No poetry please ★ Repeat: No letter will be printed unless Editor knows who wrote it.

Private Schools: Worse Than Useless?

Advertiser
Montgomery, Ala

EDITOR, THE ADVERTISER—I notice in the paper where certain parties have organized a private corporation for the ostensible purpose of guaranteeing that our children will be educated.

The principal names associated with this enterprise seem to be MacDonald Gallion and Gen. Hanna. I am sure that both of these gentlemen are sincere. I do not doubt their having the welfare of our children (as they see it) at heart. It is unbelievable that their motivations are pecuniary or political where so much is being gambled.

However, I respectfully doubt whether either of them is qualified to set up an educational system for the children of Alabama.

If we should attempt to isolate and to arrange in the order of their importance those things which have made America a great country, very high on our list would be the American system of public education. We in Amerinca have assumed that personal liberty and free government cannot last long among an ignorant people. We believe that an informed, independent, free-thinking citizenry is the strongest possible wall against totalitarianism, dictatorship, communism, and demagoguery.

Through trial and error over the span of our country's history, we have finally come to see that an efficient, coordinated system of tax-supported public education is the best way to guarantee that we will continue to have the quality of citizen required to administer the affairs of a democratic republic. And in the last analysis, this efficient, coordinated system of tax-supported public education is the *only* way we can educate the children of a population the size of our state's.

WE HAVE not always had tax-supported public education in this country. Before the war for Southern independence, the majority of our educational institutions were privately supported. These private schools worked fine within the very definite limits of what they could do. But the great preponderant majority of the people were uneducated and ignorant.

In the years after the war, these private schools were rapidly replaced by public schools which were tax-supported. The great system of public education which we have in this nation and in this state is the result of consecrated labor and inspired thinking of great educators over a period of a hundred years and more.

I can think of absolutely nothing on the horizon of possibilities which confront the people of this state which could cause them to intelligently do away with Alabama's great system of public education. We are living in a time when the mention of certain subjects causes more intellectual hysteria than it does clear thinking. We are living in a time when unscrupulous opportunists do not hesitate to stampede the emotions, the passions and the prejudices of people to their own aggrandizement.

There is no possible way, no possible scheme, no possible plan of private schools which can remotely approximate the educational efficiency of our public school system. The citizens of certain states are rapidly finding this out.

IN AN era of shifting, changing attitudes and social patterns, I hope that the enlightened, free-thinking independent voter of our state may see clearly that regardless of what happens, our system of public education must be preserved. We do not have the time to waste years of our childrens' lives in doubtful experiments which the experiences of other states are rapidly showing to be considerably worse than useless.

[THE REV.] FRANK A. ARNOLD JR.
Pastor, St. Paul Methodist Church,
Opelika, Ala.

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Vote No On The School Tax

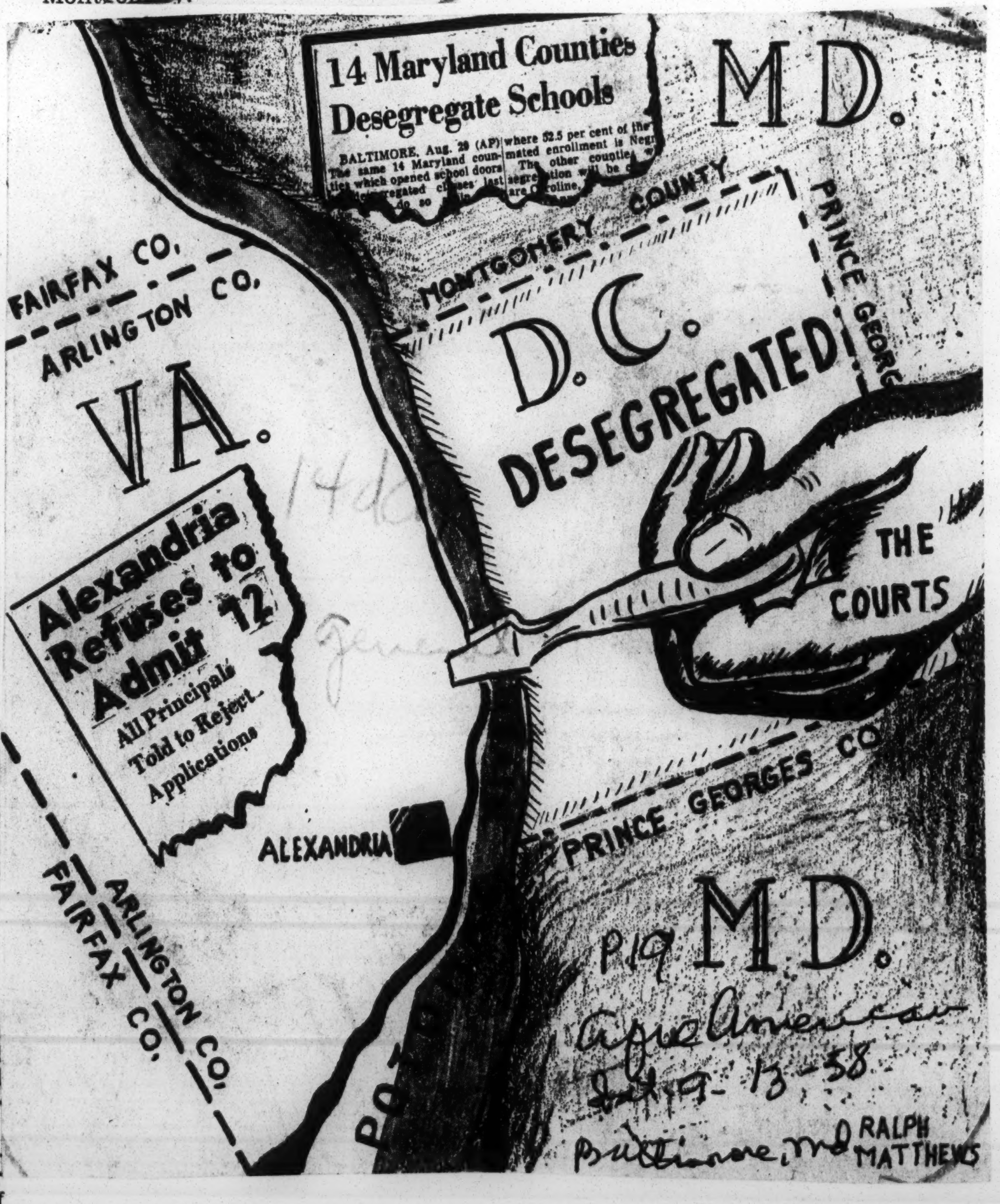
Editor, The Advertiser:

I do not feel that Amendment No. 3 to the Constitution, which is to be voted on Nov. 4, to increase the ad valorem tax on real and personal property an additional 55¢ a hundred, should be adopted.

On property in the city of Montgomery we are now paying $3.35 per hundred and the amendment if passed will authorize this being raised to $3.90. In addition to that tax, Montgomery County is collecting 1¢ per gallon on all gasoline sold, which 1¢ is purely for educational purposes. The 55¢ above mentioned is to be for education. Also we have a special education tax, countywide, of 7 mills in addition to all of the other special taxes imposed by the state, such as sales tax and severance tax.

In view of the fact that under a decision of the U.S. Supreme Court we cannot operate public schools unless both white and colored be allowed to attend the same schools, I think we should refrain from adopting this amendment to the Constitution until we can at least see whether or not public schools here in Montgomery County are to be continued as is.

L. A. SANDERSON.
Montgomery.


14 Maryland Counties Desegregate Schools
BALTIMORE, Aug. 29 (AP) The same 14 Maryland counties which opened school doors
where 52.5 per cent of the
MD.
MONTGOMERY COUNTY
PRINCE GEORGES
FAIRFAX CO.
ARLINGTON CO.
D.C.
DESEGREGATED
VA.
THE COURTS
Alexandria Refuses to Admit 12
All Principals Told to Reject Applications
ALEXANDRIA
PRINCE GEORGES CO.
ARLINGTON CO.
FAIRFAX CO.
MD.
RALPH MATTHEWS

14d
General
P19
Afro American
9-13-58
Baltimore, Md

Political Notebook

School Challenge Pushed Up Here

14d(1) general

By WILLIAM M. BATES

Constitution Political Editor

Constitution

Atlanta, Ga.

In addition to knocking the main props from under the private school plan, the segregation decisions in Arkansas and Virginia have advanced the crisis timetable in Georgia.

William M. Bates

Long before the Supreme Court's 1954 decision, some Georgia political leaders warned of a coming challenge to this state's long-established system of segregated public schools and began preparing for it.

Plans for closing the public schools and the University System were in the making many months before the court finally overturned the 50-year-old "separate but equal" doctrine.

But few thought the showdown would come in Georgia as soon as now appears likely—probably sometime next year.

After the court's 1954 ruling Georgia cleared the way for substituting private for public schools when the long arm of the Supreme Court reached here.

By constitutional and statutory measures, the state set up machinery for closing the public schools, leasing school property to private interests, and making outright grants of state tax money to individual students to enable them to pay for their schooling under private auspices. This was the essence of the "private school plan" as envisioned by the legal and political leaders who drafted it.

Constitution

DOUBTED PLAN

From the beginning, some legal authorities doubted that the private school plan would stand up in the federal courts once it came under attack. But they thought it would work as an effective delaying tactic while a rear-guard action was fought in the courts.

Mon 10-20-58

The fast-moving events in Virginia and Arkansas seem to have upset that theory. The federal courts apparently have knocked out the main points of the Georgia private school plan in the Arkansas and Virginia cases.

Mon 10-20-58

The time that many persons thought Georgia would have to litigate various phases of the private school plan after a serious integration attempt was made here is being spent in Arkansas and Virginia.

ULTIMATE SHOWDOWN

One highly placed legal authority in Georgia thinks the ultimate showdown in this state may have been advanced by as much as five years as a result of the far-reaching decisions being made elsewhere.

More and more, legal authorities now believe that when the test comes in Georgia, the federal courts will have narrowed the question to either no form of publicly supported education or integrated schools.

If this should be the case, Georgia may be standing on the threshold of great social and political turmoil and upheaval.

VAST MAJORITY

There is no question but that a vast majority of white persons in Georgia are genuinely and deeply opposed to integration. Many observers of Georgia life honestly believe that integration attempts in most rural areas of the state—if not the urban areas as well—would be accompanied by bloodshed.

The unknown quantity is the reaction of the average Georgia parent, no matter how greatly he detests the idea of integration, what will happen if he comes face-to-face with the prospect of no form of publicly supported education for his children.

If the schools are closed to avoid integration—as is now required by Georgia law—and if the private school plan is ruled out by the courts—as now appears likely from recent decisions—will there be a demand by the people for the reopening of the schools even at the price of integration?

OWN MEANS

Or will the people of Georgia, however reluctantly, abandon the entire concept of publicly supported education in any form and see to the education of their children by their own means and as best they can?

These are hard questions. They will require even harder answers. But the time is approaching when the people and their political leaders must face up to them. And time is growing short.

Meany Hits Race Barrier

Advertiser

P. 10B

Montgomery, Ala.

Mon 9-1-58

WASHINGTON (AP)—AFL-CIO President George Meany said Saturday the United States has no room for schools that bar children because of race.

"The segregated school poses an artificial barrier to our nation's progress in education," Meany said in a Labor Day statement.

Meany keyed his statement to measures which he said would help overcome "our own educational shortcomings" in comparison with Soviet progress in training young people. He recommended a federal school construction program, which also would provide new jobs, higher teacher salaries and government-financed scholarships.

In other Labor Day statements: William F. Schnitzler, AFL-CIO secretary-treasurer, called for "election of progress and liberal men and women to public office,"

William A. McDonnell, president of the U. S. Chamber of Commerce, said Americans cannot consider labor, management and the public as unrelated.

"For when corrupt or tyrannical persons mislead any of us," McDonnell said, "we all suffer."

Editorials

Negrophobes Getting the Message

Courier P. 10

Sat 9-27-58

Pittsburgh, Pa.

IT MAY TURN OUT that the white segregationists of the South owe a debt of gratitude to Governors Faubus and Almond for their herculean efforts to prevent desegregation of the public schools.

Those efforts which have been increasingly intensified over the past year have now reached the point where these prominent school segregationists have been compelled to close several high schools "threatened" with desegregation.

This means, of course, that thousands of white children are now deprived of the education for which the taxpayers have paid; and if this continues whenever a school is ordered by the Federal courts to desegregate, there will soon be tens of thousands, perhaps hundreds of thousands, of youngsters roaming the streets with nothing to do.

White parents, whether segregationist or desegregationist, are beginning to understand concretely how they are being sold down the river by their leaders; beginning to debate among themselves whether it is better to have mixed schools and have their children educated, or to have closed schools in which no one is educated.

For them, under their present leaders there is no way out except to pay tuition in private schools; and they are learning with understandable alarm that this will cost a whole lot of extra money which very few of them have.

14d(1) general

The white teachers in the closed schools have contracts (as do the colored teachers) which require that they be paid by the taxpayers; which now means being paid for loafing.

The scheme to transfer closed public schools to private educational groups so that they may be operated on a racial basis in defiance of the U.S. Supreme Court will come to naught, barring direct sale, because of taxpayers' suits which will certainly win in the Federal, if not in the state's, courts.

Neither the NAACP nor any other libertarian group could have possibly collected sufficient funds to pay for the task of educating white segregationists as Governors Faubus and Almond have done with their Negrophobic twistings and turnings.

The white segregationists needed this education in the legal facts of life, and now they are getting it the hard way from those officials whom they were told to respect as champions of white supremacy.

Is it too much to hope that there will now be a Southern grass roots movement against these cotton-patch Hitlers?

14d(1) 1958

GENERAL

School Leadership Needed

Schnitzler Asks Ike: 'Speed Integration'

AFL-CIO News

14d(1) General

Forest Park, Pa.—AFL-CIO Sec.-Treas. William F. Schnitzler sharply reminded Pres. Eisenhower that "it is the duty of the President to lead" the country to full acceptance of the Supreme Court's school desegregation decision.

Before the third annual National Trade Union Conference on Civil Rights sponsored by the Jewish Labor Committee, held at the Ladies Garment Workers' Unity House here, he recalled that the high court ordered enforcement of its decision with "deliberate speed."

Wash. D.C.

Urges More Speed

"It is not my purpose to argue with the Supreme Court in its choice of adjectives," he said. "But I think we must have more speed and less deliberate stalling.

P. 9

"I think the time for delay is past. I think the time for strict enforcement is here. And we will not get either speed or enforcement so long as the President of the United States gives only lip service to this cause."

The fight against ending school segregation is "keeping the best minds of the South from contributing to the real problems of the world," Harry Golden, editor of the Carolina Israelite of Charlotte, N. C., told the conference.

Sat. 6-7-58

White Community Suffers Too

"The real victims of the anti-segregation drive are not alone the Negroes but the southern white community," he said.

Southern Jews, while not necessarily expected to lead the segregation fight, should not lag behind Catholic, Unitarian, Quaker and other religious groups which are taking the initiative, said ILG Vice Pres. Charles S. Zimmerman, conference chairman and chairman of the AFL-CIO Civil Rights Committee.

The delegates sent a message to the U.S. delegation to the Intl. Labor Organization conference in Geneva asking for an ILO international fair employment practices covenant, and passed a resolution calling racial and religious hatred "the most vicious of all tactics used by employers to defeat union organization."

Schnitzler maintained that the duty of every citizen to obey the law "goes, of course, for governors as well as chauffeurs, for senators as well as waiters, and for the President of the United States as well as for any student in Little Rock High School."

"The Negro citizens of this land," he said, "have, by and large, conducted themselves in this hour of trial in a manner that shames those of the white race who are manning the barricades of one of the most ignoble causes of history, the specious and degrading cause of 'white supremacy.'

"They know — those Negro citizens who suffer so much in the South, their brothers in misery in the southwestern section of our country who are of Mexican descent, and the Chinese and Japanese descendants on our West Coast—they know they must some day be victorious, for their cause is undeniably right and just.

"And because their cause is so right that they must ultimately be victorious, I say that there will be victory for all of us."

Other speakers were JLC Chairman Adolph Held; Gov. Averell Harriman of New York; Executive Sec. Roy Wilkins of the NAACP, and Emanuel Muravchik, director of the JLC's anti-discrimination department.

Government Invites Integration Resistance

Defender P. 6

Louisville Ky.

Most of the blame for the hard-core South's stubborn resistance to school desegregation can be attributed to the Federal Government's failure to exert forceful leadership on the issue.

According to Harold C. Fleming, executive director of the Southern Regional Council, an interracial organization dedicated to fighting for human rights, there has been a leadership vacuum at the national level in the area of school desegregation.

Thurs. 4-10-58

Fleming contends that this vacuum has had two dire results:

14d(1)

It has contributed to the demoraization of liberals and moderates in the South who found themseles facing pro-segregation intolerance with no national backing.

General

It has persuaded many white southerners that the federal government and the North in general "don't really mean it" when they ask for integration.

In the one instance where the president took positive action — the sending of troops to Little Rock — school officials contend that the government has done nothing to curb the violence following desegregation. Charging that except for putting soldiers around the school, the government has shown an inability to enforce the court order and suppress interference, the school board pointed out that federal officials have not tried to prosecute persons who defied the court order but "instead left the responsibility for compliance solely on the school board."

Roy Wilkins, executive secretary of the NAACP, recently attacked the do-nothing policy of the troops at Little Rock's Central. Wilkins stated that the situation at Little Rock found the federal government in the ridiculous position of placing the responsibility of enforcing the law of the land on the slender shoulders and young hearts of the eight Negro students.

It has been agreed upon, in both the North and South, that the President has not placed the full weight of his office behind the edict of the high court. His reluctance to act boldly and forthright has resulted in a stalemate in desegregation. Ike's tendency to temporize and mitigate has done as much to impede the course of desegregation as the undisguised opposition of the South.

School Integration Is a Law, Says Broadway Star

NEW YORK—"Integrate the kids right at the kindergarten and grade school level. Let the races grow up together and you can bet they will respect each other," said Lena Horne in a rare interview for Datebook, a magazine for teen-age girls.

The interview, "Lena Horne Talks Frankly About Integration," is in the current issue of Datebook. Publisher Arthur Unger, feeling that teen-agers in the U. S. have a common problem in the school desegregation issues, went to Miss Horne, mother of two teen-agers herself, following the tremendous response to Datebook's fiction piece on integration entitled "Them."

14d(1)

Courier

General

P. 15

THOSE RESPONSES indicated, Unger said, that teen-agers want to come to grips with the problem of integration and, with responsible guidance, attempt to solve it. Miss Horne, however, would not offer advice. She said, regarding the Negro students at Little Rock's Central High: "Talk to those wonderful kids who went back to school, day after day, to face what they had to face. I can't give them advice. They've done beautifully. I don't know where they got the courage. I couldn't have done it."

Pittsburgh Pa.

Sat. 11-15-58

MISS HORNE," star of "Jamaica," a musical currently on Broadway, has a daughter, Gail, who is a senior at Radcliffe, and a son, Ted, a freshmen at the University of Southern California. Insofar as the white students were concerned, the beautiful singer blamed their attitudes on the way they were brought up. A good part of their activities she characterized as juvenile delinquency.

Decrying gradual desegregation, Miss Horne said, "How gradual can you get! If you've got to do something, you do it. School integration is not only a principle—it's a law."

Battle over integration hurts school bond sales

BY WARREN BENNETT

NEW YORK, Oct. 11—(AP)—The battle over integration is making it harder and a bit more expensive for Southern school districts to finance new buildings and improvements by selling bonds.

Investment bankers say the controversy over racial integration, and the prospect of long drawn-out and costly litigation constitute a threat to the blue chip ratings of these tax-exempt bonds. They also maintain there is a possibility sometime in the future of a refusal by citizens to pay taxes in a district where the schools are closed.

Birmingham
Ala
Sun 10-12-58

LEGAL EXPERTS tend to minimize the possibility of a school taxpayer strike. They point out that practically all school bonds are general obligations of the issuing community and must be paid off through taxes regardless of what happens to the schools. Many of the bonds are backed by the "full faith and credit of their states."

But the survey of Wall Street investment bankers indicated today that higher costs stemming from technical conditions in the money market are a bigger hurdle for most Southern school districts than financial problems resulting directly from segregation.

All bond markets, including the municipal, have deteriorated since June. Money has grown tighter. Interest rates have gone up and bond prices down.

The municipal bond index compiled by the daily bond buyer has moved from 2.92 four months ago to a current 3.50. The index, which measures yields to investors, goes up when bond prices go down.

General

Traditionally many cities and counties in the South have had to pay more than their Northern neighbors when they borrowed on bonds. That is because of a history of bond defaults from the land booms of the 1920s. Most defaulted issues were settled later at pennies on the dollar.

"It takes Wall Street a long time to forget a default," said one top bond analyst. "A burned investor almost never does."

Several years ago when the U. S. Supreme Court dropped its school integration bombshell, there was a general slump in prices of already issued bonds of local school districts below the Mason-Dixon line. Big institutional investors, wary of court battles that might jeopardize their securities, began to prune Southern school issues out of their portfolios.

THE FLURRY passed, however, and prices crept most of the way back. But there is no question Southern school districts have to pay more now on their borrowing than if integration were not a stumbling block.

Just how much more expensive is difficult to estimate. It would vary from school district to school district, depending upon the individual credit rating, the size of the bond issue, the length of maturities and the timing of the offering.

There is no agreement in Wall Street on the subject. Some claim it is little or nothing. Others place it from 15 to 25 basis points. Twenty-five basis points is ¼ of a percentage point. On a 20-year maturity, that amounts to a total increase of 5 per cent.

"We bid on anything," declared a spokesman for a big investment house with branches in three Southern cities. He said, however, Little Rock's cost would be a little steeper because of the school crisis.

Florida sells local school bonds through the State Board of Education but they are not buttressed by state credit. Local school bonds in South Carolina are sold by the state and backed by a pledge of revenues from a 3 per cent sales tax.

SEVERAL LOCAL SCHOOL districts in Florida failed to attract a bid last week on bond issues. Syndicate spokesmen said integration had little or no bearing. It was an interest ceiling of 4 per cent, they agreed, that prevented submission of any bids.

Nevertheless, it is getting more difficult for dealers to find buyers for Southern school bonds outside the South.

Many small issues are sold out completely to local investors but if the issues are large they must be peddled in the bigger Northern and Midwestern markets.

Here buyer resistance is stiffening noticeably. and sales come in small blocks because big institutional investors generally are not interested.

The trust officer of a big New York commercial bank indicated a number of his funds no longer accept school securities of certain Southern states.

Practically all casualty insurance firms have crossed such securities off their lists.

MOST INVESTMENT experts see trouble ahead for school financing if plans of some Southern states go through. Some of these projects include reopening of schools on a segregated, state-controlled basis, leasing the schools to private community corporations, or creating special quasi-public authorities to run them.

The cornerstone of any municipal bond flotation is the certification by a recognized municipal law firm that the securities are valid and legally binding. Without such certification, no investor would buy a tax-exempt issue.

Since all plans to circumvent school intgration will undoubtedly be challenged in the courts, the likelihood of any such school bond issue getting certification by a recognized municipal law firm is considered dim.

That would leave any such future school districts in the plight of the customer of the Chinese laundryman who said, "no tickee, no shirtee."

Says 'Private' Schools Can't Save Bias

New York N.Y.
Sat 9-27-58

WASHINGTON, Sept. 26 (UPI).—Deputy Attorney General Lawrence Walsh said today that Southern states cannot escape integration by setting up "dummy" private corporations to run all-white schools.

He said the courts have held consistently in the case of swimming pools and cafeterias that operation of a public facility by a private corporation does not excuse it from abiding by the Fourteenth Amendment. The Supreme Court has ruled that the Fourteenth Amendment bars racial discrimination.

Speaking before the Federal Bar Association, Mr. Walsh said the principle of all court rules has been that "an institution public in nature does not become private by leasing, and that the rights of the citizens are not impaired by the transfer."

A private corporation has been set up in Little Rock, Ark., to reopen the closed high schools there as private institutions operating on a segregated basis.

Letters To Youth Magazine Favor Desegregation 9 To 1

NEW YORK — Datebook magazine's Letter Exchange may place the school desegregation disputes in an area where they can be quickly solved—teenage understanding.

Datebook, a teenage girl's magazine, received so many letters from young fans following its story on segregation, "Them," that the publisher decided, to establish a bureau where girls who will be or only recently began attending schools with mixed students.

"Them" was a story which followed the activities of a young, white, rabble-rousing girl, a student in a newly-integrated southern high school. One DATEBOOK reader from New Orleans wrote: "Those Negro kids have more guts than the writer of the story ever had in her whole life."

The letters in response to the fiction piece ran almost nine to one in favor of desegregation. Many favored holding the move to the letter of the law. For example, one reader signed her letter: "From one who doesn't especially want THEM in our schools either, but will let them go their own way without hurting anyone."

The general outlook of the letters appeared to be that if the teenagers were allowed to plot their own course in the matter, without interference from adults, they would very likely carry off desegregation without a hitch. This feeling is summed up in still another letter. "My family has never hated Negroes but Mom occasionally makes some remarks. I asked her to read the story, and when she gave me the magazine back, she seemed embarrassed. You see, we teenagers can teach our parents some things, too."

Some Integration Proceeds Quietly

Post Herald

Legal Maneuvering Marks Resistance

BY THE ASSOCIATED PRESS

Racial integration went ahead quietly in several Southern schools yesterday while legal maneuvers aimed at blocking this social change continued in segregationist strongholds.

P. 1

The Norfolk, Va., School Board's plea for a delay in school desegregation until next year was turned down by a U. S. district judge.

Thurs. 9-4-58

But Judge Walter E. Hoffman said he may reconsider if the U. S. Supreme Court grants Little Rock, Ark., a 2½-year delay in school mixing or grants a review of that case.

Birmingham, Ala.

In that event, he said, he would entertain a motion to retransfer 17 Negro children the Norfolk School Board planned to assign to white schools.

The Supreme Court will hear arguments on the Little Rock case Sept. 11.

General

In another Virginia case, a Federal judge was told the applications of six Negroes to attend a white school in Arlington County was turned down because of low achievement.

Dr. Barnard Joy, school board member, told U. S. Judge Albert V. Bryan that was the reason for rejecting the six. He testified at a hearing in Alexandria to determine whether 30 Negroes must be admitted to various white schools in the county, across the river from Washington, D. C.

The Arlington County board advised teachers that school openings, already postponed from tomorrow to Monday, may be further delayed.

Limited mixing of the races proceeded in a number of other Southern states. The only demonstration came at Greensboro, N. C., where a small group displaying a Ku Klux Klan banner and a Confederate flag, gathered in front of the Gillespie Park School. When five Nergo children arrived a white man carrying a KKK banner followed them a few steps and a bystander heckled them. But the five attended the brief opening session without trouble. Three of the five attended the school last year.

In Van Buren, Ark., where white students jeered 13 Negroes entering high school Tuesday, the Negroes went to the white school yesterday with no show of resistance.

In Charlotte, N. C., two of four Negroes who attended white classes last year entered yesterday without last year's minor demonstrations. One of the others who attended last year was reassigned to a Negro school when the white school was abandoned and the other quit after being harrassed by students.

Post Herald

It was just another school day in Kentucky on the second day of classes with four high schools desegregating for the first time. Twenty Negroes were enrolled at white schools in Fulton. In Nelson a total of 20 Negroes entered three high schools. Kentucky previously had placed about one-fourth of approximately 40,000 Negroes in mixed classes in 94 of the 215 school districts.

Thurs 9-4-58

After first-day violence—

Six Arkansas cities take integrated schools calmly

News P-28 Wed. 9-3-58

By The Associated Press

White and Negro students went to classes in Van Buren, Ark., today with no signs of white resistance which flared briefly yesterday at the integrated high school.

And at the city's previously all-white junior high school, five Negroes were admitted for the first time without incident. Under the integration plan here, the high school was integrated last year and the junior high school this year.

School Supt. Everett Kelly would not comment. Police officials would only say of yesterday's incident: "No blows were struck."

Across the Arkansas River at Fort Smith, school registration still was incomplete. No racial trouble was reported there.

Ten Negro children were eligible to enter first grade classes of white schools. Under Fort Smith's voluntary integration procedure, only Negroes who complete the first grade in a racially mixed classroom there are eligible to advance to the school's second grade.

FORT SMITH Supt. Chris Corbin said it probably would be late today before he knew how many Negroes would enroll in white schools.

Most of Arkansas' integrated schools — at Van Buren, Fort Smith, Fayetteville, Ozark and Charleston—are located in the Western part of the state where the Negro population is relatively small. Hoxie has the only desegregated school in Eastern Arkansas.

AT LITTLE ROCK, in the center of the state, racial troubles simmered in a legal lull.

The Little Rock school board planned a routine, monthly meeting tonight. The board's agenda did not mention the integration strife at Central High.

Mrs. Margaret Jackson, president of the Segregationist Mothers League of Central High School, said her group would hold a "general meeting" tomorrow night.

Mrs. Jackson has urged the governor to sign a bill passed in the recent legislative special session, setting up machinery for recall of school board members. The league, she said, would sponsor a move to recall the Little Rock board.

Van Buren, a West Arkansas city of 6000, integrated about 24 Negroes under federal court order last September. There were no reports of violence thereafter.

BUT WHEN NEGRO boys and girls reported for the first day of the new term yesterday, they were met by shouted insults and obscene gestures.

A Negro girl said she had to push her way through a knot of white youths at the school entrance.

In contrast, white pupils and Negroes went to classes in a friendly atmosphere at the junior high school across town. There are five Negroes enrolled in the junior high.

In Kentucky, it was just another school day for 20 Negroes and 161 white pupils attending classes together for the frist time at Fulton High. The school was desegregated by court order.

THREE OTHER schools also held their first racially mixed classes in Nelson County, Ky., without trouble. Sturgis High, where National Guard was called out in 1956, also opened quietly with 25 Negroes attending.

In Tennessee, 10 Negro boys and girls went to classes with 873 white pupils at Clinton High without incident. The school was the scene of violence two years ago when Negroes first were admitted.

At nearby Oak Ridge, classes were racially mixed in the high school and a junior high for the fourth year. There has been no trouble. The Atomic Energy Commission, which supports the schools, ordered integration in 1955.

CHARLOTTE, N. C., schools opened quietly today for the second year of classes with limited integraton.

Two Negro children entered the white schools they previously attended without the minor demonstrations which accompanied the start last year. Four Negroes began classes in white schools then.

One was reassigned to a Negro school when the white school was abandoned. The other quit after student harassment.

The school board refused to assign additional Negroes to white schools this year, but further hearings are scheduled.

IN GREENSBORO, N. C., five of seven Negro children assigned to the white Gillespie Park School here entered today without difficulty.

'PRIVATE' SCHOOLS MAY GET TAX HELP

Times

New York

WASHINGTON, Oct. 4 (AP) —Private corporations set up to operate all-white schools in communities that oppose integrated classes may be eligible for tax exemptions. This was stated today by a spokesman for the Internal Revenue Service.

If ruled exempt, he said, the corporations would pay no Federal taxes and any contributions they receive could be claimed as deductions on the income tax returns of individual contributors.

However, tuition payments made by parents for the education of their children would not be deductible.

10-5-58

The spokesman said that as far as he knew, no application for the exemption had been received here from any organization set up to substitute private education for public schools that are under Federal Court orders to integrate. He said it was possible that such applications might have been filed in the service's district offices.

7.45

To qualify for an exemption, an educational organization must be nonprofit. Also, no substantial part of its activity can involve the spreading of propaganda or attempt to influence legislation. Tax-exempt organizations are prohibited from taking part in the campaign of any political candidate.

Tax Men Cast Eye At Church Schools

News

Jackson Miss

Could Lose Tax-Exempt Status By Assisting Segregation Fight

WASHINGTON (UPI) — Churches that open their doors to private school classes in the fight against integration may lose their tax-exempt status, it was learned today.

P. 1

A spokesman for the Internal Revenue Service told United Press International the question had "been raised" and the service had it under active consideration.

He predicted there will be a statement on the issue "in the near future."

Wed 10-29-58

Approximately 55 churches in Little Rock, Ark., and two Virginia cities are already actively involved or have offered facilities to help in private schooling plans substituting for public schools closed in integration battles.

EMERGENCY SERVICE

In many instances the churches offered their facilities to help the children during the emergency rather than in an effort to aid the anti - integration fight. However, tax officials indicated the effect on the churches' tax-exempt status would be the same regardless of their intent.

Under existing tax laws, churches need not pay income taxes to the federal government or even make reports of their income and spending to the Internal Revenue Service. This does not apply to salaries of ministers and other church employes which are taxable like all other personal income.

While churches as a general rule do not have large incomes over and above their expenses, the tax-exempt status is important to them in relation to their contributors.

CONTRIBUTORS HURT

Church contributions may now be deducted from the contributor's income taxes up to 30 per cent of his gross income. If a church lost its tax-exempt status this deduction would not be allowed, according to the IRS spokesman. This might cut materially into a church's income from contributions.

The reason for depriving such churches of tax - exempt status, according to IRS officials, would be primarily on the ground that they are engaging in activities other than those for which the status was granted.

Although many churches operate their own schools, these are tax - exempt by virtue of the church's religious exemption rather than as an educational exemption. IRS experts said it was unlikely churches offering facilities for public school students could qualify for tax exemption as educational institutions.

All-White Plans Face Fund Woes

Jackson Miss

By THE ASSOCIATED PRESS

School segregation leaders, stymied by federal court orders in Virginia and Arkansas, appealed to individuals today for support in operating private all - white schools.

Jackson, Miss.

One thing is clear: Any private school system will have to be operated without any kind of state support.

News 10-9-58

Not so clear is whether the federal government will help rebuild schools such as the bomb-ravaged high school in racially troubled Clinton, Tenn.

7.1

Virginia's plan for operating private white schools with public teachers was tossed out the window Wednesday by Federal Judge John Paul in Harrisonburg. He said the practice violates the U. S. Supreme Court's integration ruling.

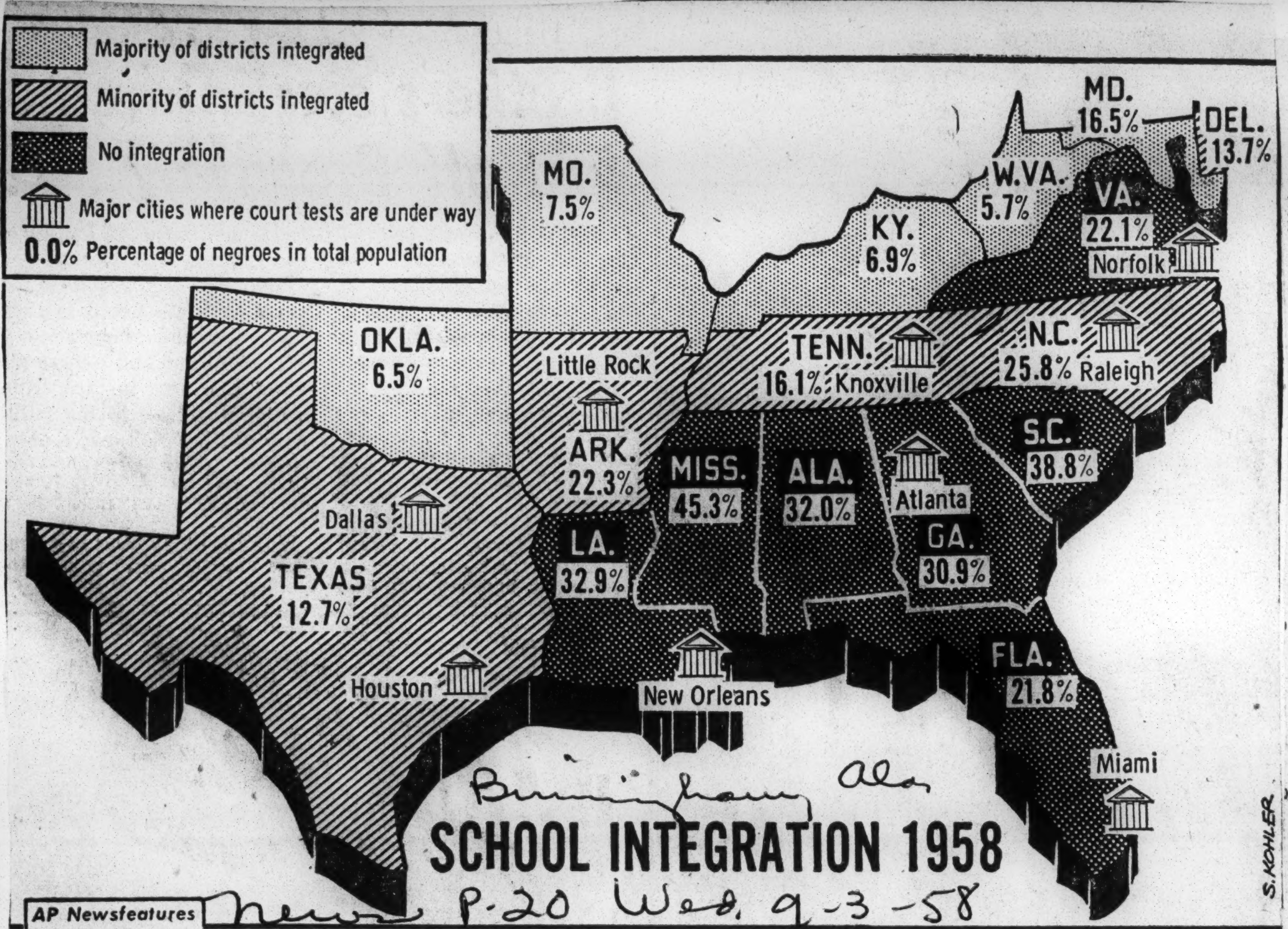
Paul declined to rule an NAACP request to reopen Warren County High School and two Charlottesville schools because the state law which closed them is being tested in the Virginia Supreme Court.

TUITION EYED

After hearing the court order on publicly paid teachers, Atty. John S. Battle Jr. of Charlottesville indicated he would seek money from private sources to pay teachers and thus remove them from the court's prohibition. He said the money probably could be raised by tuition charges. "This is our only chance," he said.

Gov. Orval E. Faubus of Arkansas said he would start a nationwide appeal for contributions to help operate private, segregated schools. A federal judge has ruled in Arkansas that private classes cannot be held in public school buildings.

Pupils of Clinton's bombed high school were told to resume full-scale, racially integrated classes today in a vacant grade school building.

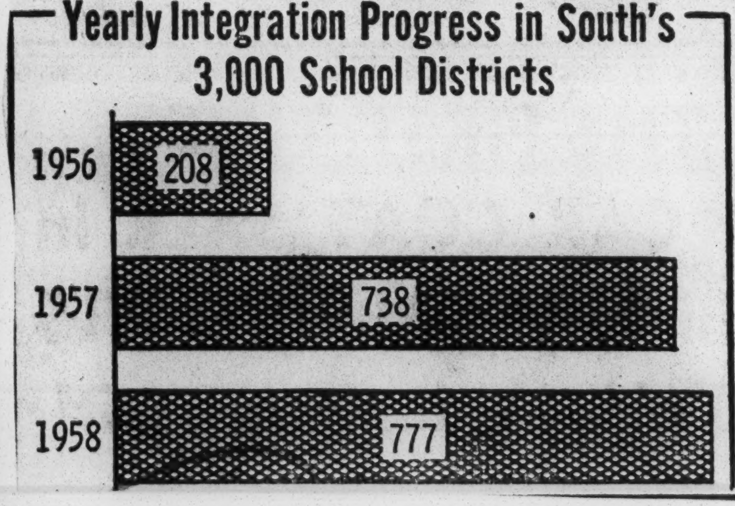

Majority of districts integrated
Minority of districts integrated
No integration
Major cities where court tests are under way
0.0% Percentage of negroes in total population
MO. 7.5%
MD. 16.5%
DEL. 13.7%
W.VA. 5.7%
VA. 22.1%
Norfolk
KY. 6.9%
OKLA. 6.5%
Little Rock
TENN. 16.1% Knoxville
N.C. 25.8% Raleigh
ARK. 22.3%
MISS. 45.3%
ALA. 32.0%
Atlanta
S.C. 38.8%
Dallas
LA. 32.9%
GA. 30.9%
TEXAS 12.7%
Houston
New Orleans
FLA. 21.8%
Miami
S. KOHLER

Birmingham Ala

SCHOOL INTEGRATION 1958

AP Newsfeatures News P-20 Wed. 9-3-58

Yearly Integration Progress in South's 3,000 School Districts



Legal Steps to Avoid Integration

	ALA	ARK	FLA	GA	LA	MISS	NC	SC	TENN	TEX	VA
ABOLISH SCHOOLS	▩			▩	▩	▩	▩	▩			▩
PUPIL PLACEMENT	▩	▩	▩		▩	▩	▩		▩	▩	▩
GRANTS FOR PRIVATE EDUCATION	▩			▩	▩		▩				▩
DENY FUNDS TO INTEGRATED SCHOOLS				▩	▩			▩			▩

It Will Be Up To Uncle Sam

Balt American

Baltimore, Md.

~~Sun~~ 9-14-58

P. 4

The Federal Government is spending hundreds of millions of dollars annually to aid public schools in the states.

If some disaffected Southern states are willing to close the schools rather than comply with the law and admit all girls and boys equally, education must go on, why not Federal schools?

Word comes that President Eisenhower would be willing to accept such a plan, when it was proposed last week by Attorney General William Rogers.

No additional legislation would be needed to pass Congress, although it would be necessary to secure appropriate funds for this purpose.

The American Federation of Teachers is also on record as favoring the opening of such federally-supported schools.

Both law and precedent exist for federal authorities to act.

Public schools for all were established in the South for the first time by the hated interracial Reconstruction governments following the Civil War.

They were aided by federal funds.

Failure of states like Maryland and Virginia to open the doors of state colleges to all citizens led the Federal Government to support Howard University with millions of tax dollars.

Large-scale aid is given by the Federal Government today to schools in defense areas financially unable to provide such facilities.

"The Federal government cannot permit citizens to be deprived of education by recalcitrant authorities," concludes the Attorney General of the United States. "If localities won't act, then it's up to the Federal Government to do so."

That makes all kinds of sense to us.

If there is no other way to restore education in Little Rock, Norfolk, Charlottesville and other closed - school Confederate areas than by establishing schools with federal funds, the time has come to start thinking about doing so.

School Stand Reflects President's Philosophy

Hint That He Favors 'Slower' Integration Draws Sharp Rebuke From NAACP

14d(1) general

By GARNETT D. HORNER
Star Staff Writer

Star p1 Thurs 8-28-58

President Eisenhower's indication that he may personally think school integration might be achieved more smoothly if done "slower" is in line with his general "middle-of-the-road" political philosophy.

He was speaking philosophically and generally—not specifically about Little Rock or any other particular case—when he revealed this feeling at a news conference yesterday.

In effect, he seemed to be saying that he believes evolution rather than revolution—in the sense of quick changes by force—would be best for the country in carrying out school desegregation.

Will Support Court

But this feeling does not weaken in any way the President's determination to support fully final Federal court orders for mixing the races in school classrooms. And it does not mean that he disagrees with the Supreme Court's 1954 decision that segregation of schools must be ended with all deliberate speed.

The President re-emphasized at a news conference yesterday that he never would express any opinion about Supreme Court decisions indicating either approval or disapproval, because it is his duty to enforce the law as interpreted by the court regardless of what he personally thinks about it.

He did so in denying in a published report that he had told friends in private that he wishes the Supreme Court never had handed down its integration decisions.

Urges Use of Reason

But as for another portion of the report—saying he also thinks integration should proceed more slowly—the President said:

"It might have been that I said something about 'slower.'"

He explained this might have been "because I do say, as I did . . . last week, we have got to have reason and sense and education, and a lot of other developments that go hand in hand if this process is going to have any real acceptance in the United States."

Mr. Eisenhower's remark produced varying reactions. Some of the critical comments called for the President to make a full and clear statement of his views.

Roy Wilkins, executive secretary of the National Association for the Advancement of Colored People, assailed as "incredible" the President's suggestion that four and a half years after the Supreme Court's original school integration order, the pace should be slower.

"There are seven States which have not made a single move toward integration," the NAACP official said. "There are only 77[illegible] school districts out of more than [illegible] which have done anything toward integration, some completely, some with only two children."

Wash. Star Thurs 8-28-58

Harriman Raps Stand

In other comment, as reported by the Associated Press:

Gov. Averell Harriman of New York—"One of the basic troubles is that the President has failed to take a strong moral position on the Supreme Court."

Gov. Earl Long of Louisiana—"Glad to know President Eisenhower has wised up."

Gov. J. P. Coleman of Mississippi—"My feeling is that it (integration) should be stopped altogether."

Democratic Gov. Robert Holmes of Oregon — "There should be no slowdown."

Republican Gov. Charles H. Russell of Nevada—"I think the situation should be met judiciously because the problem varies in different States."

The National Council of Churches disclosed it had sent a telegram to the President urging him to exert "moral and spiritual leadership" in the Little Rock conflict. The telegram was sent prior to the President's news conference statement.

The President's explanation was a summary of what he has said nearly every time questions about school integration have been raised in his news conferences over the last several months. The President has in the past stressed the need for "patience and tolerance" if the problem ever is going to be solved. And he has said time and again that desegregation cannot be achieved successfully just by law or force.

Court Authority First

This attitude is a logical extension of Mr. Eisenhower's general distaste for the extremes on either side of most domestic problems. He would rather try to persuade people to go along with his views than force them. He explained why at a news conference on November 14, 1956. "Once I have persuaded, (a man), he will stick," the President said. "If I scare him, he will stay just as long as he is scared, and then he is gone."

But the President also has made it clear time and again that, as he said last week, there will be "no equivocation" in carrying out his duties to support Federal court orders on school integration or anything else.

Just after sending troops into Little Rock a year ago to put down violence which was frustrating court integration orders there, Mr. Eisenhower explained in a speech to the Nation: "Our personal opinions about the (Supreme Court) decision have no bearing on the matter of enforcement."

As he did in that speech of last September 24, Mr. Eisenhower emphasized last week "the very basis of our individual rights and freedoms rests upon the certainty that the President and the Executive Branch of Government will support and insure the carrying out of the decisions of the Federal courts."

This was interpreted as meaning that Mr. Eisenhower would be prepared to send Federal troops again if necessary to insure compliance with "final orders of the court" for school integration there.

There has been no backing away by the administration from such an interpretation. But officials point out that a determination to uphold court orders certainly does not mean any interference with the right of appeal.

In other words, it would be consistent for the President to go along with a delay achieved through court appeals in school integration at Little Rock or anywhere else, and still use all the power at his command to back up integration when finally ordered by the court.

Voiced Same View Before

His admission yesterday that he might have said something to friends about "slower" steps in carrying out integration went only a litle further than numerous previous statements indicating such a feeling.

In a news conference on October 30 last year, for example, the President said about integration:

"I personally believe this problem is never going to be solved without patience and tolerance—consideration.

"We just simply cannot solve it completely just by fiat or law and force. This is a deeper human problem than that.

"The South has lived for 56 years under a social order that was approved by the Supreme Court, and specifically with respect to education — the theory of separate but equal facilities. Now they are asked suddenly to consider that whole system unconstitutional and, naturally, this causes difficulties."

Similarly, he told a news conference last March 26 that the racial problem in the South cannot be solved just by a new law "with teeth in it."

Had to Uphold Court

He went on to explain then: "Now, for example, when we got into the Little Rock thing, it was not my province to talk about segregation or desegregation. I had a job of supporting a Federal court that had issued a proper order under the Constitution, and where compliance was prevented by action that was unlawful.

"I had to do that, and that is an entirely different thing for me starting out new methods for, or new laws for, attacking this basic problem, which I again say is not going to be solved finally until it is done by understanding and reason."

At another news conference on July 2, Mr. Eisenhower said education and understanding to overcome prejudices and emotions must come about before "punitive law" ever can be "universally successful" in the integration field.

Nevertheless, he added, the law will have its effect "and it will be executed as laid down by the Supreme Court procedures." In different words, he made clear the distinction in his mind between whatever he might think about integration and his duty to enforce court orders in this field at a new conference last May 14.

Legal Reason For Action

A reporter told him then that Gov. Collins of Florida had said racial segregation in Florida public schools would continue "in any community where its abandonment would cause deep and dangerous hostility." The reporter then asked: "Do you intend to follow the Little Rock pattern in other States where there is hostility to it?"

An ensuing brief exchange between the President and the questioning reporter throws a good deal of light on his thinking.

THE PRESIDENT — "Well, what do you mean by the 'Little Rock pattern?'"

THE REPORTER—"Sending in the Federal Troops."

THE PRESIDENT — "For what?"

THE REPORTER—"As you said, to obey a court order."

THE PRESIDENT—"That is right, to obey a court order. And that is the point. I did not send troops anywhere because of an argument or a statement by a Governor about segregation."

Negro Pupil in South Called Smart as White

General

P. 11

New York N.Y.

Wed. 7-30-58

The Negro child in the South is as smart as the white child, but there is a difference in achievement because Negro schools have been inferior, a group of educators declared today.

The findings are contained in a report on the first four years of operation of the Phelps-Stokes Fund's "Project for the Improvement of Instruction in Secondary Schools." The report was issued by Dr. Aaron Brown, director of the project and former president of a Negro college in Georgia.

Dr. Brown said the project's experimental study among 10,000 students in 16 typical high schools in Alabama, Mississippi, Georgia and North Carolina refuted segregationist charges that Negro students cannot keep up with white students in the classroom.

"We now know that this is not true," he declared.

The four-year study established, he said, that there was no "innate difference" in intelligence between white and Negro students, but often Negroes have been handicapped by inferior textbooks and equipment and a "dearth of scientists, teachers and other professionally trained specialists."

Precedent On Placement Already Set

Similar Law To Alabama's Already Upheld

BY IVAN SWIFT

Birmingham

Thurs 11-23-58

P. 2

Post Herald

Thurs. 10-23-58

General

When the U. S. Supreme Court considers the appeal of Birmingham Negroes against the Federal Court decision upholding the Alabama School Placement Law the court will have a strong precedent for dismissing it.

The precedent lies in the court's refusal to consider an appeal by North Carolina Negroes against the upholding of the North Carolina pupil placement law by two lower Federal courts.

The North Carolina law, called the Pupil Placement Act, is very similar to the Alabama School Placement Act.

North Carolina's law was ruled "not unconstitutional" by a Federal Court there, and was upheld by the United States Fourth Circuit Court of Appeals.

The Supreme Court refused to hear an appeal from the Fourth Circuit's decision, in effect upholding the law.

The courts that heard the arguments on the North Carolina law, which was patterned after the Alabama law and enacted about the same time, said state statues provided "adequate remedy" for grievances against the law.

The courts also held that pupils have the right to be admitted to schools without racial discrimination, but said children are admitted as individuals, not as a class or group.

Their constitutional rights are asserted as individuals, the judges said.

Alabama's law, which was upheld by Judge Richard T. Rives of the Fifth Circuit Court of Appeals, and U. S. District Judges Seybourn H. Lynne and H. H. Grooms, sitting as a panel, is due to come up before the high court.

When the case was argued in Federal Court here, school board attorneys said several times the North Carolina law is very similar to Alabama's, and they pointed out that "token integration" has come about under the law.

It is similar to the North Carolina law in provisions for assigning pupils and for the appeal of pupils through school boards and state courts.

Attorneys who won the case in Federal Court here, Joseph F. Johnston of Cabaniss and Johnston, and Reid Barnes and Ormond Somerville, of Lange, Simpson, Robinson and Somerville, have filed a motion asking the court in Washington to dismiss the Negroes' appeal.

The high court could do that by affirming the decision reached in Federal Court here.

Or, it could reverse the decision made here, and send it back for another hearing.

But several attorneys who have been following integration cases closely said it isn't likely the Supreme Court would go so far as to hand down its own ruling in the case and set a date for integration.

In the past, it has ruled that the lower courts have to decide when to integrate a school.

If the court follows the action it took in the North Carolina case, the Alabama School Placement Law will be left on the books, at least until another suit comes up testing its application.

When the judges ruled here they said the placement low was constitutional on its face, but they added that it might be used unconstitutionally.

SCHOOL DAYS IN LITTLE ROCK—Private school pupils stand outside the building while waiting for classes to begin in Little Rock. The school is providing classes for senior students only. (UPI Telephoto).

General

Pressure Building Up In Crisis on Schools

Constitution

P. 4

Jour. 9-16-58

Atlanta Ga.

There is nothing in the melancholy stories from Little Rock or Virginia about which to be optimistic except that events are proceeding within the framework of law.

Gov. Faubus of Arkansas yesterday puzzled the nation a little by expressing anger at the presence of the U.S. marshals whom, a few days ago, he welcomed as being "proper and legal," as he believed the troops of last year not to be. But the tense and unhappy story proceeds within the law and that is how it must continue.

The number of Southern states which offer total resistance has dwindled to five, Virginia, Alabama, South Carolina, Mississippi and Georgia. Florida Monday "quietly" accepted its first Negro student at the University of Florida. Louisiana already has accepted a number in her graduate school and undergraduates have been enrolled in New Orleans at the LSU branch there.

The administration apparently decided last week fully to support the Supreme Court and the Constitution as interpreted by the court.

This will, soon or late, bring deplorable chaos to the public school systems in the five Southern states which have decided they would prefer to sacrifice their public school system rather than allow any district to make token compliance.

We are all caught up in a grave, historic and decisive test of federal constitutional powers versus those of the individual states. There is no escape from it and there will be no reversal of it. We do not conceive it to be a time for angry recrimination or meaningless and unproductive attacks on the administration. If we could thereby resolve it none would shout louder than we.

The future of thousands of children is in the hands of our leadership. There seems to be adequate time to plan. Definite plans to provide education for the future when the courts act here are strongly indicated.

House to get similar measure—

News p. 1 - B'ham Ala.

13 senators plan bill to integrate schools

Mon 2-10-58

Would compel acceptance of court rulings

WASHINGTON, Feb. 10—(AP)—Thirteen senators joined today in proposing a bill designed to encourage racial integration of schools, and to compel compliance with Supreme Court rulings in that field if necessary.

14d(1)

The new civil rights measure also would arm the attorney general with authority to seek Federal Court injunctions for the protection of civil rights generally—a proposal defeated last year after a bitter battle.

Sen. Douglas (D., Ill.) announced he was introducing the bill with 12 other senators, seven Democrats and five Republicans, as co-sponsors. He said a companion measure was being introduced in the House.

THE LEGISLATION would authorize appropriation of $12½ million over the next five years for federal assistance to states and local government units in developing community understanding and plans for school integration.

In addition, federal grants of $40 million a year for each of the next five years would be authorized for school buildings, the employment of additional teachers and other costs incident to eliminating racial segregation.

Douglas noted that under this section funds could be made available to "local communities that wish to comply with the court's decisions, but where, as in Georgia and Virginia, the state threatens to cut off funds or close the schools."

SHOULD EFFORTS to achieve voluntary compliance fail, the secretary of health, education and welfare would be empowered by the legislation to draw up school integration plans in line with the Supreme Court's ruling.

If the secretary were unable to secure their acceptance from state or local officials, the attorney general would be authorized to seek Federal Court injunctions to force compliance.

THE REST OF THE BILL, under which the attorney general could obtain injunctions against violations of civil rights generally, would revive in somewhat altered form a section stricken by the Senate last year from the administration's civil rights measure.

The civil rights act passed by Congress at the last session, the first to be enacted since the end of reconstruction era, limited the use of this injunctive process to the protection of voting rights.

Atty. Gen. Rogers said yesterday that if Congress were to pass this year the provisions it knocked from the bill last year, he would recommend that Presi-

The present five-system plan does not provide adequately for all children in the county.

Small systems cannot provide specialized services.

The county will be almost one continuous city and a single system can provide more efficient business operations and better provide for physical facilities of schools.

Pupils could be assigned to schools regardless of municipal boundaries.

DR. HOWARD proposed dividing the district into five areas with a superintendent for each. He would be the administrative officer for each with an area citizens advisory committee to work with the superintendent.

The central office would be controlled by a Board of Education of 11 members, two from each district at least and not more than five from Birmingham. The city and county boards now have five members each.

Four assistant superintendents would serve at the central office, one each assigned to administrative, instructional, staff and pupil services.

Faculties would be directed at the area level.

Dr. Tennet Lee presented a report on secondary schools and Dr. Esther Swenson reported on elementary schools.

Dr. Lee said "I think the Birmingham curriculum tends to favor average and bright students rather than slow students."

Stop Subsidizing Segregation!

Courier, p. 12

14d(1)

General

Pittsburgh, Pa.

Sat 2-15-58

The U. S. Supreme Court having decreed that tax-supported schools be desegregated "with all deliberate speed," the Federal Government is flouting this decision by grants of public monies to states that use such monies to aid racially segregated schools.

The NAACP is entirely right in demanding that existing school aid statutes be amended to require that the Supreme Court's 1954 decision be complied with as a condition of receiving these monies contributed by ALL the taxpayers.

Clarence Mitchell, the Association's Washington representative, told a House subcommittee last week that Uncle Sam has spent more than $192,000,000 for construction and operation of segregated schools under Public Laws 815 and 874, providing Federal aid to schools in defense-impacted areas.

Since 1951, Virginia (which decries Federal "interference") has received $50 million; Louisiana has been given $5 million, and then passed a law depriving school children of lunch funds if they attended desegregated schools; Georgia has allowed the Federal Government to "interfere" to the tune of $26 million to build and operate jim-crow schools, while Mississippi has also grabbed huge sums for the same purpose.

There should be an end to this flouting of the law of the land.

Those who yammer for state's rights to perpetuate jim crowism should not enjoy state's privileges to rook the U. S. Treasury.

Federal Aid to Education

14d(1)

Dispatch P. 6

Fri 2-28-58

Okla City, Okla

The same crowd always opposing federal aid to education are howling to high heaven in dissent, and are using the same sort of argument hitherto always used against the Eisenhower proposal for a grant in aid to public schools for encouraging advanced study in mathematics, engineering and the higher sciences.

No attention or study is given by this dissenting crowd to the basic reason, or reasons, given by the President for his new proposal. The arrival of the Russian sputnik in the Soviet orbit is set at naught. Especially in the southern section of the United States, people are against federal aid to education for the some reason they have given in the last 25 years. They feel that they must limit, curtail and halt spending by the central government funds for the mass education of citizens.

While it is not generally known, for many years a quota system has been set up in our colleges for Jews, while Negroes, until the Supreme Court Decision, were arbitrarily barred from college training in the South. A few got into our northern institutions, but the prohibitive costs of college training made higher training available only to the children of the rich.

But Russia's rapid plunge into outer space regions has caused the thinking, dedicated American to realize something must be done to offset this situation and challenge. If it means no more than a defense technique, something must be done. If those opposing the President's proposal have a better plan, let them divulge that plan and permit our schools and colleges to put that plan to work. Let no one keep his light under a bushel. If you are against President Eisenhower's plans, what is your substitute?

While most folk, since the advent of sputnik, have found fault with the curriculum and condemn our electives, a professor from the University of Illinois, Arthur Restor, while not finding too much fault with the American plan of instruction, thinks mass education does not direct attention to the right group. Prof. Restor points out that while England, France and Russia give mass education through the grades, by periodic examination they sift out the wheat from the chaff and when college time comes school authority has determined who the bright minds are and who has the ability and capacity for higher training.

It seems to this writer that Prof. Restor has the right answer for the man who does not believe in mass education of the masses. By the unfailing examination methods during the years of junior and senior high school the laggards can be weeded out and the government can save a lot of the taxpayers' money through concentrating solely upon the mentally alert. Such a plan should take care of 95 per cent of the objection raised by those who say they do not believe in mass education.

Of course if this plan is adopted some effort should be made to work out a system overlooking students because of their race or color. There should be weeded out of our educational system any attempt to overlook a "George Washington Carver," or such as the Hebrew whom Hitler drove out of Germany who before her flight from Germany had already cast in her mind the design and formula for the atomic bomb. If in current plans we could map out an arrangement for advanced education that will weigh merit rather than color, and excellence rather than religion, we would be for that agenda

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South Uses Public Schools More Than Other Sections

Private Education Draws Only 2.99 Per Cent In Mississippi, 2.02 In Arkansas, And 2.9 In Tennessee

14d(1)
Gen

By MORRIS CUNNINGHAM

WASHINGTON, April 5.—A clue to one of the less emphasized reasons why the South is more resistant to tampering with its public schools is contained in a new Office of Education publication called, "The State and Nonpublic Schools."

This 152-page study deals with public and private schools in the 48 states, and the percentages of pupils enrolled in each type in grades 1 through 12.

It shows that parents in the Southern states rely to a far greater extent upon the public schools as training places for their youngsters than do parents in other sections of the country.

Mr. Cunningham

A state-by-state table for the school year 1953-54, the latest figures included in the study, shows a sharp contrast between private elementary and high school enrollments in the South and the Northern and Eastern states.

For instance, the table shows that only 1.22 per cent, or 11,963, of North Carolina's 980,029 elementary and high school pupils were enrolled in private schools. A total of 98.78 per cent, or 968,066, were in public schools.

By contrast, 29.22 per cent, or 45,688, of Rhode Island's 156,362 elementary and high school pupils were in private schools. Only 70.78 per cent, or 110,674 were in public schools.

For the continental United States as a whole, 13.8 per cent, or 4,339,163 of the nation's elementary and high school pupils were in private schools. A total of 86.92 per cent, or 28,836,052, were in public schools.

Commercial Appeal
p 5
Sun. 4-6-58
Memphis, Tenn.

Here Are Figures On Southern States

Only one Southern state Louisiana, which has a large parochial school system, exceeded the national average. A total of 16.34 per cent, or 107,941 of its pupils were in private schools. The remaining 83.66 per cent, or 552,491, were in public schools.

Here are figures for the other Southern states:

ALABAMA—2.96 per cent, or 21,943 private; 97.04 per cent, or 763,647 public.

ARKANSAS—2.02 per cent, or 8,534 private; 97.98 per cent, or 414,955 public.

FLORIDA—4.91 per cent, or 32,454 private; 95.09 per cent, or 628,477 public.

GEORGIA—1.69 per cent, or 13,905 private; 98.31 per cent, or 807,631 public.

MISSISSIPPI—2.99 per cent, or 16,238 private; 97.01 per cent or 527,408 public.

SOUTH CAROLINA—1.36 per cent, or 7,432 private; 98,64 per cent of 539,437 public.

TENNESSEE—2.90 per cent, or 21,395 private; 97.10 per cent or 716,395 public.

TEXAS—5.87 per cent, or 100,-$67 private; 94.13 per cent, or 1,604,293 public.

VIRGINIA—4.61 per cent, or 33,576 private; 95.39 per cent, or 695,277 public.

These Exceeded National Average

For contrast, here are the states—in order—that exceeded the 13.07 per cent national average:

RHODE ISLAND — 29.22 per cent, or 45,688 private; 70.78 per cent or 110,674 public.

NEW HAMPSHIRE—25.63 per cent, or 28,532 private; 74.37 per cent, or 82,778 public.

NEW YORK—24.87 per cent, or 762,291 private; 75.13 per cent or 2,302,815 public.

WISCONSIN—23.97 per cent, or 175,775 private; 76.03 per cent, or 557,446 public.

MASSACHUSETTS— 23.05 per cent, or 212,837 private; 76.95 per cent, or 710,551 public.

NEW JERSEY—22.07 per cent, or 224,802 private; 77.93 per cent or 793,782 public.

ILLINOIS—21.91 per cent, or 382,393 private; 78.09 per cent, or 1,745,653 public.

PENNSYLVANIA — 20.22 per cent, or 430,407 private; 79.78 per cent, or 1,698,688 public.

DELAWARE—19.21 per cent, or 13,600 private; 80.79 per cent, or 57,205 public.

VERMONT—18.16 per cent, or 14,150 private; 81.84 per cent, of 63,787 public.

CONNECTICUT — 17.99 per cent, or 76,514 private; 82.01 per cent, or 348,700 public.

MARYLAND — 16,90 per cent, or 87,119 private; 83.10 per cent, or 428,292 public.

MINNESOTA—16.48 per cent, or 108,919 private; 83.52 per cent, or 552,123 public.

LOUISIANA—16.34 per cent, or 107,941 private; 83.66 per cent, or 552,491 public.

DISTRICT OF COLUMBIA—16.33 per cent, or 21,303 private; 83.67 per cent, or 109,135 public.

MAINE—15.61 per cent, or 31,333 private; 84.39 per cent, or 169,364 public.

MICHIGAN—15.58 per cent, or 228,992 private; 84.42 per cent, or 1,240,730 public.

OHIO—15.54 per cent, or 271,266 private; 84.46 per cent, or 1,474,046 public.

MISSOURI—14.29 per cent, or 117,272 private; 85.71 per cent, or 703,667 public.

Trend Is Toward Private Education

The study says a trend toward private elementary and high school training has been in progress in the United States for a number of years. It says about one out of 11 pupils were in private schools in 1900, compared to about one out of seven in 1954. It concludes that if the trend continues, about one out of six will be in private schools by 1965.

Since the study extends only through the 1953-54 school year, the effect of the Supreme Court's 1954 public school desegregation decree is not covered.

Many observers believe that integration of the public schools, and particularly the movement to that end in New York and other big Northern cities, has been a substantial stimulant to private school enrollment in recent years.

If this is true, it joins with the continuing flight-to-the-suburbs as another erosive effect upon public schools in these cities.

14d(1) 1958

GENERAL

SEGREGATIONIST-JOHN KASPER
SEEKS NATIONAL PRIVATE SCHOOL SETUP

✓

Kasper Seeks Nat'l Private School Setup

Daily World
Atlanta, Ga.
10-13-58

WASHINGTON (UPI)— Segregationist John Kasper said Monday he intends to launch a campaign to abolish the public schools throughout the nation and replace them with private, segregated schools.

Kasper said in a telephone interview that public schools have become "subject to a lot of graft, corruption, socialism and control by the federal government." He said, "It's time to get back to something basic" in education.

He indicated he would press his campaign first in Virginia where schools in three communities have been closed under a state anti-integration law.

LABOR FIELD

Kasper said he and his organization, the Seaboard White Citizens Council, also planned to enter the labor union field in an effort to "break the grip of the radical left wing leaderships."

He said the labor targets would be AFL - CIO President George Meany and Walter P. Reuther, president of the AFL-CIO United Auto Workers.

Kasper said he would have to interrupt his activities next month to go to Tennessee to stand trial on charges that he attempted to interfere with integration in that state.

NO 'BOMBING' KNOWLEDGE

Kasper denied having any knowledge of the bombing of a Jewish temple in Atlanta Sunday morning.

Kasper called the United Press International office here to announce that Dale Birdsell of Baton Rouge, La., has succeeded him as executive secretary of the Seaboard Citizens Council. Kasper said he would assume the newly created post of executive director.

He described Birdsell as former editor of the "Southern Digest" and a former director of "The Southern Gentlemen," an organization which later became a white citizens council in Louisiana.

Daily World
Atl
10-13-58

14d(1) 1958 GENERAL

OCT.11,1958 YOUTH MARCH FOR INTEGRATED SCHOOLS

✓

6,000 Rally in Protest Of Segregated Schools

By EVELYN CUNNINGHAM

(Courier Staff Writer)

NEW YORK—Harlem stood solidly behind the Oct. 11 Youth March for Integrated Schools, as more than 6,000 voiced approval Friday night at a rally on Seventh Ave., in front of the Hotel Theresa.

Called to stir interest in the march of 1,000 Negro and white youngsters down Washington's Pennsylvania Ave., and to pay tribute to the Rev. Martin Luther King Jr., the rally heard an all-star cast that included Gov. Averell Harriman, Nelson A. Rockefeller, GOP candidate for Governor; A. Philip Randolph, Jackie Robinson, Dr. King and Duke Ellington and his entire orchestra.

By far the most moving address was delivered by Dr. King. As he neared the conclusion of his speech and noted the lateness of the hour, the crowd beseeched him to talk on as long as he wanted.

•One lady shouted, "Talk all night, Reverend, we'll stay here as long as you talk."

Both Governor Harriman and Mr. Rockefeller were greeted warmly. Each pointed up the need for a program to solve New York State's own racial problems. The Governor flayed President Eisenhower for his "inaction." Mr. Rockefeller defended the President.

IT WAS LEFT to Jackie Robinson to bring the political issue "down" for the crowd cheered wildly when the former Brooklyn Dodgers great said, "I hope Governor Harriman and Mr. Rockefeller realize the tremendous potential of you and me."

Later in his speech he received a loud "Amen" when he said, "We can put Governor Harriman back in office or we can put Mr. Rockefeller in office."

Dr. King, visibly moved by his reception, was at his best. With great fervor and eloquence, he said:

"We don't have a long time to solve our problems—we love America too much to slow up. If we slow up, America faces the possibility of losing her status in the world. We are struggling to save America.

"...The Federal Government must take a strong, positive stand. The shape of the world does not permit us the luxury of an anemic democracy . . . I believe in states' rights, but no state has the right to do wrong . . . Black supremacy is as bad as white supremacy.

"God has not decided to turn this world over to Governor Faubus . . ."

Gov. Harriman

Mrs. Bunche

N. Rockefeller

Philip Randolph

Other speakers were A. Philip Randolph, who expressed the Negro's "burning indignation" to the "massive resistance of the South against law and order"; the Rev. Gardner C. Taylor, pastor of Concord Baptist Church, who dubbed Gov. Faubus, "Awful" Faubus; Mrs. Anne Arnold Hedgeman, assistant to Mayor Wagner, who stressed the role of women in the fight; the Rev. Thomas Gilgore, pastor of Friendship Baptist Church, who announced that a total of $1,325.26 was raised at Thursday night's meeting for Dr. King; the Rev. Richard A. Hildebrand, Bethel Church; the Rev. O. D. Dempsey, Abyssinian Baptist Church; Mrs. Abretha Brooks, director of community relations, office of the Borough President of Manhattan; Charles Zimmerman, general manager of joint board, CIO-AFL; Asseblywoman Bessie Buchanan, Dr. John Morsell, assistant to Roy Wilkins.

Entertainment was furnished by Duke Ellington, Sam Price and his orchestra, Johnny Hartman and a gospel unit.

Meanwhile, plans are rapidly taking shape for the Youth March for Integrated Schools. Headquarters is at 312 W. 126th St.

Jackie Robinson

Dr. M. L. King

Honorary chairman of the Youth March for Integrated Schools are Mrs. Daisy Bates, Mrs. Ralph J. Bunche, the Rev. Martin Luther King Jr., A. Philip Randolph, Jackie Robinson and Roy Wilkins.

More than 1,000 Negro and white students from fourth grade through college are expected to converge on Washington for the occasion. They will come from Eastern Seaboard States in special buses sponsored by churches and civic groups. Already in New York, four churches and six unions have agreed to sponsor buses.

■

THERE WILL be a minister, teacher, parent and nurse aboard each bus. A special children's committee, headed by Representative Bessie Buchanan and Mrs. Anna Hedgeman, assistant to the Mayor of New York, is making these arrangements.

In Washington, the students, led by Jackie Robinson, holding the hands of a Negro and a white child—will first go to the White House where an interview with President Eisenhower will be sought.

They will then march down Pennsylvania Avenue to the Capitol, where they will present to six Congressmen their own declaration in defense of the U. S. Constitution.

THE MARCH will climax with a mass rally of the students at Lincoln Memorial, during which the students will express their own views on the issue of school integration.

Committees to mobilize for the march are being set up in New York, Baltimore, Philadelphia and Washington and more will soon be established in other cities along the Eastern Seaboard—including the South.

The march, according to the official Call, "will provide a way for young people to register their desire for integration and equality in the public schools of our nation; will demonstrate our unity with the embattled children of the South who strive heroically to defend democracy in education; will enable white people of goodwill, North and South, to cast, not a piece of paper merely, but a total vote for democracy; will symbolize the fact that since 1954, more than 300,000 children have entered integrated schools; will be a moral challenge to the small minority which is determined to use confusion, intimidation and terror to defend the old order."

Courier P.4

Pittsburgh Pa.

Sat 9-27-58

Students To Demonstrate For Integrated Schools

Plans under discussion for a student demonstration on the school issue became official today with public announcement of the Youth March For Integrated Schools, to take place Saturday, October 11, in the nation's capital.

The announcement was in the form of a Call issued jointly by Mrs. Daisy Bates, Mrs. Ralph J. Bunche, Rev. Martin Luther King, Jr., A Philip Randolph, Jackie Robinson and Roy Wilkins—all of whom have agreed to serve as honorary chairman.

1,000 Negro and white students from fourth grade through college are expected to converge on Washington for the occasion. They'll come from Eastern Seaboard States in special buses sponsored by churches and civic groups. Already, in New York two churches and three unions have agreed to sponsor buses.

P 1

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9-18-58

Atlanta, Ga.

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The March, according to the official Call, "will provide a way for young people to register their desire for integration and equality in the public schools of our nation; will demonstrate our unity with the embattled children of the south who strive heroically to defend democracy in education; will enable white people of goodwill, north and south, to cast, not a piece of paper merely, but a total vote for democracy; will symbolize the fact that since 1954 more than 300,000 children have entered integrated schools; will be a moral challenge to the small minority which is determined to use confusion, intimidation and terror to defend the old order."

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41 Buses To Make Integration Trip

Chicago Ill.

NEW YORK, N. Y. — With the Youth March for Integrated schools still three weeks off (Saturday, Oct. 25), 41 buses from New York alone have already been pledged.

This was announced by Jackie Robinson, marshall of the March, who will lead the children in the Washington demonstration. Each bus carries 40 children and 5 adults — ministers, teachers, and parents.

Chicago Defender

The NAACP is sponsoring some of the New York buses and, in addition, is sponsoring buses from Jersey City, Newark and Montclair.

Sat 10-18-58

Unions in the New York area which have sponsored buses include locals of the American Federation of Teachers, International Garment Workers Union, Transport workers Union, District 65 of the Retail Wholesale and Department Store Workers, Local 338 of the Grocery Clerks and the Brotherhood of Sleeping Car Porters.

10 CHURCHES

P. 7

Ten leading New York churches have taken responsibility for buses to Washington.

Student support was indicated by a resolution supporting the March which was adopted by acclamation by the Student Council of City College. Jackie Robinson will address a major rally of support at Brooklyn College at noon on Oct. 6.

Veterans of the famous 369th Regiment of World War II will be represented in the March through their children who will wear childrens' soldiers and sailors uniforms.

Commenting on the progress of the March, A. Philip Randolph, its co-chairman, said: "At the rate things are going, this dramatic answer to segregationists by young people will be an event of national. . .perhaps international. . . significance."

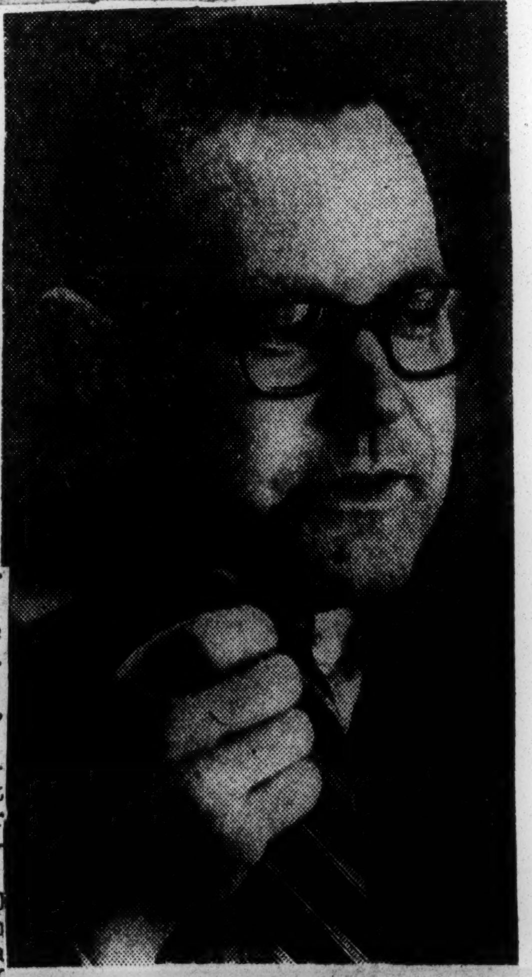
Desegregation Is Slowing Down

Advertiser Montgomery Ala

Director Of Southern Education Reporting Service Says Full Compliance With Supreme Court Decision Is Not Yet, Declines To Say When

Sat. 2-8-58 p 4A

[Don Shoemaker became a prominent journalist as editor of The Asheville [N.C.] Citizen. *He resigned to become editor of* Southern School News, *an impartial monthly publication that records in detail news of desegregation and refusal to desegregate in Southern schools. It is financed by the Ford Foundation. En route to New Orleans, Shoemaker stopped over in Montgomery this week to visit newspaper friends, and the following interview resulted.—Ed.]*



DON SHOEMAKER

Q. When if ever will this controversy over mixed schools in the South end?

A. You know very well we [*Southern School News*] don't make value judgments.

Q. When in your opinion will the need for *Southern School News* be at an end?

A. If and when the newspapers begin to give objective and factual coverage of the question, and I am not speaking of your newspaper, sir, which is a paragon of excellence in this regard. When there is general reporting of the school story in depth and with more accuracy, then maybe this will come to an end.

Q. Do you think the colored element will continue to press for integration or will they, at some time in the future, become content with more or less separate schools?

A. I am paid not to think. That is one of the delights of my present situation. After having to think [as an editor] at least five times a day for many years, I no longer think.

Q. You are very familiar with the statistics on this subject. To what extent has there been any integration? For example, in North Carolina what percentage has been integrated?

A. Nine Negro children out of 320,000 in North Carolina. In the mid-South states of Arkansas and North Carolina and Tennessee, altogether, about 270 Negro children are in mixed classes One of the difficulties in appraising this matter is the general misunderstanding of what the Supreme Court meant. The Parker dictum of the 4th Circuit Court in North Carolina was that the Supreme Court did not say that there must be integration. It said that all other things being equal, then any child could go to any school of his choice. Now under that dictum many Negro children have been eligible to go to all white schools but have not elected to do so for one reason or another. The fact remains after four years there are only about 270 Negro children in mixed schools in three mid-South states and none whatever in the states of the Deep South in the elementary and secondary levels.

HALF THE COLLEGES

Q. What are the corresponding statisics on the colleges and universities?

A. There are students of both races in about 110 out of 205 tax-supported institutions of higher learning in the whole area. The only states where there is no desegregation whatever in colleges public or private are South Carolina, Georgia and Mississippi. Alabama has two private colleges in which there is some desegregation. Spring Hill is one and I believe Talladega is the other. They are both private institutions. Talladega always has had an integrated faculty. It is one of the old Freedman Bureau schools.

Q. Well, on the basis of those statistics that represent four years of response to the Supreme Court dictum, how long will it be until you have integration? At this rate of progression, how long would it take?

A. Well, again that is a matter of value judgment entirely. This can be said: In the first two years after the Supreme Court decision, roughly 450 school districts were desegregated. In the third year something like 200. In the fourth year, beginning last fall only 29. And from September to January this year no new desegregation was announced anywhere until the middle of January, when a school district in Creek County, Oklahoma, announced it was going to desegregate next year—purely because of economic reasons. They could no longer afford to maintain separate schools for a few Negroes in the district. So it could be said factually that the so-called progress or process of desegregation had been slowed down considerably by this year. All but 15 of the present desegregated districts are in the border states and Texas. They were the easiest ones to desegregate.

Q. I get the impression reading your organ that the NAACP in this past year for some reason has ceased to enter these suits to break down the barriers in the school. For example, in Alabama there is only one case of the NAACP trying to batter its way into the schools. Is that some strategic decision to let the thing cool off for a while and digest what the courts have already decreed in their behalf?

NO QUARTER OFFERED

A. All public statements by the NAACP spokesmen have been to the contrary. For instance, they criticized Atty. Gen. Rogers for saying there should be a cooling off period, and Thurgood Marshall and others have said recently that they are going to keep up the effort to desegregate schools. They say there are more suits available than they are able to press. Now within the last couple of weeks a suit has been filed in Atlanta under the aegis of the NAACP in which 10 parents are suing to get 28 children into four or five schools in Atlanta, and there are some 29 court cases still active involving school entries

Q. All the same, we still get the impression that they are soft pedaling these suits for the time-being to digest what is already awarded to them and I am still curious to know whether or not that is a decision on their part or whether it is a purely natural diminution of their activity. I realize, of course, that the NAACP doesn't initiate these suits but they can certainly encourage and influence those colored parents who do initiate the suits and i does seem that one hears far less abou court activity in the past year than the year before that.

A. Well, that is another yes and no thing. I pointed out that for the first time they are trying to crack the deep South in Atlanta and Birmingham, in which there is very strong resistance In Virginia you have five school districts that are under court order of one kind or another to desegregate promptly. Some of them are overdue. But there are five cases in Virginia and in those cases a spokesman said, according to our current issue [of *Southern School News*] that they did not plan to press for integration during this school year. Now some of those districts like Arlington and Charlottesville were under court order to desegregate last fall. The NAACP is not pressing complaints at this time. So to a degree you are correct in saying they have slowed their effort to some extent, but still we must place against that the efforts, as you say, to crack Atlanta and Birmingham.

MONTGOMERY AND LITTLE ROCK

Q. Switching here a little bit, up until the time of Little Rock I think there is no question but what Montgomery was the most famous, the almost mystical dateline of all. Montgomery carried deeper symbolism for the North and countries abroad than any other. How does Montgomery stack up now with Little Rock as a symbol?

A. Well, there again you're getting me into an area where I can't make any evaluation. These things as they occur claim the headlines almost all over the world. In each of those three cases entirely different things were involved. Tuscaloosa was a college entry suit. Montgomery was a bus controversy growing out of the Brown decision. The third is Little Rock which is really so to speak a constitutional issue in which the relative powers of the federal and state governments come into conflict. Little Rock is a symbol of a different sort of thing which some people disassociate perhaps entirely from desegregation.

Gov. Faubus has said many times that he is not opposed to integration where the community is ready to accept it. An example of that is right there in Arkansas, Van Buren, which has 25 or 30 Negro students in its school against nine in Little Rock. But these are symbols of different things, just as now we have another symbol in New York and Brooklyn schools situation.

Q. On the basis of bloody nose for bloody nose, and stab for stab, would it be correct to say that there has been more violence in the New York and

Brooklyn schools than in all the South together?.

BLOODLESS REVOLUTION

A. I am not familiar enough with that situation. We under our charter and under our plan of operation merely cover the schools that were affected by the Supreme Court decision and those schools who were not affected by it. So I don't know. We have it in our book *With All Deliberate Speed* that there has been no real bloodshed anywhere in the South or the border states up to the time of Little Rock. I think the most serious casualty of any one of the phases was the newspaper photographer in Nashville, he got his face a little cut up in Clinton. That has been one of the remarkable aspects of this. It can be said without challenge there has been relatively little physical contact and hardly any bloodshed in this situation. On the other hand, there has been scarcely any desegregation.

Q. There is a real need for a non-partisan agency such as yours to report one of the great domestic evolutions or revolutions in the South. But in consideration of what you've read in the reports by the equally non-partisan Associated Press of the disorders in the New York schools—that taken with the vast migration from the South that is still in progress—why wouldn't it be in order to extend the *Southern School News* reporting service to include those areas up there where they are having trouble growing out of the same difficulty?

A. [*The answer was off the record.—Ed.*]

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10 States Set To Close Schools To Avoid Mixing

Chicago Defender
Chicago Ill.
Sat. 11-15-58

NASHVILLE, Tenn. — Ten southern states have laid the legislative groundwork for closing public schools as anti-integration measures, as Virginia and Arkansas already have done, SOUTHERN SCHOOL NEWS reported.

The first shutdowns—at Front Royal, Charlottesville and Norfolk, Va., and at Little Rock, Ark.—left about 16,000 pupils without classrooms in 13 public schools.

Since the U.S. Supreme Court's 1954 desegregation edict, the legislatures of four other states have enacted laws providing for closing of schools faced with racial integration. These are North Carolina, Alabama, Louisiana and Mississippi. Two states, South Carolina and Georgia, took the step prior to 1954 in anticipation of the Supreme Court decision.

2 OTHERS

Two other states, Florida and Texas—as well as Virginia—have enacted laws providing for the closure of schools policed by federal force intent upon implementing federal court orders for desegregation.

An updated SOUTHERN SCHOOL NEWS summary showed, as of the first of October, 790 desegregated school districts out of 2,890 bi-racial districts in the 17 southern states and the District of Columbia.

Of their total enrollment of 12,629,434 pupils, 2,970,344 are Negroes. And of the Negro total, 402,403 are in districts which have begun or completed the desegregation process.

The clash of federal authorit and state sovereignty over scho desegregation raised fresh lega questions.

"I don't think federal authorities have any legal right to stop me from closing the Little Rock high schools," Gov. Orval Faubus of Arkansas said.

"There is no doubt the susceptibility of these school closing provisions to legal attack," Jack Greenberg, counsel for the National Association for the Advancement of Colored People, told SOUTHERN SCHOOL NEWS.

"There is nothing in the federal constitution that requires a state to provide public education," was the view expressed by James C. N. Paul of the University of Pennsylvania law school, who made an extensive study of the legal aspects of the school segregation-desegregation question in 1954.

Paul added the closing of certain selected schools might be found discriminatory from a legal standpoint, but that the laws authorizing shut-down of entire state school systems are a different matter.

Virginia's attorney general began a state court test of the constitutionality of school closing laws in that state which include provisions for tuition grants to pupils to be used for private education. And a private corporation's propsal for operating leased public school facilities in Little Rock on a private basis was restrained by two federal circuit judges.

The U. S. Justice Department, while joining the NAACP's attack on private school plans, has not indicated what action it may take against school closure.

Integration Not Slowing Bond Issues

News-Courier
Charleston, S.C.
Wed. 11-5-58

NASHVILLE, Tenn. (AP) — The integration issue has not yet affected the interest rate on school bonds in the South, the Southern School News reports.

The news said its survey of the bond market showed some reluctance in the East to buy Southern school bonds. But this was offset by increasing bond purchases in the South, the news added.

While the desegregation controversy has not been a factor on money rates, the news continued, "The situation could change if there were wholesale school closings as in Little Rock and Virginia."

The publication said bond interest rates have risen in the South, as well as other sections, in recent months as a result of general economic conditions.

The news is published by the non - profit Southern Education Reporting Service. It said 796 of the South's 2,896 biracial districts now have desegretated schools.

PRESIDENT

Atlanta World

FOUR NEGRO

Atlanta, Ga. 14d(1)

School Integration Problems To Be Chief Subject At Conference

Fri 6-20-58

P, 1

WASHINGTON — (UPI) — President Eisenhower will meet with four Negro leaders at the White House Monday to discuss school integration problems, the White House said Thursday.

Press Secretary James C. Hagerty reported on arrangements for the meeting after Rep. Adam Clayton Powell (D., N.Y.) scooped him on the announcement and said the meeting was "my idea."

Hagerty, however, said the meeting had been requested by the Rev. Martin Luther King, president of the Montgomery (Ala.) Improvement Association. King, who led the Negro boycott of Montgomery buses because of seating segregation, is scheduled to attend the White House meeting.

Powell, who is under indictment for income tax evasion, was not among those scheduled to meet with the President. A "tentative" date for them to get together has not been kept since the President made it last September.

LEADERS NAMED

Powell's office listed Monday's participants as King; A. Philip Randolph, president of the Brotherhood of Sleeping Car Porters; Roy Wilkins, executive secretary of the National Association for the Advancement of Colored People (NAACP), and Lester Granger executive secretary of the National Urban League.

Hagerty said the meeting would be attended by Attorney General William P. Rogers and White House staff members Fred Morrow and Rocco Siciliano. Morrow, a Negro, is an administrative officer. Siciliano deals with minority groups and civil service problems.

I DON'T KNOW

Hagerty said "I don't know" when he was asked why Powell, who has pressed for such a meeting, was not invited to attend the 11:15 a.m. (EDT) get-together.

The White House spokesman said it would be "a talk with Negro leaders on problems dealing with school integration."

An aide to Powell said that the conference presumably would touch on other matters affecting Negroes.

Powell, said he and the three other Negroes in Congress would send a letter to the participants tomorrow suggesting "points that must be considered at this conference in addition to those which the Negro leaders will broach."

President On Spot In Mixing Wrangle

Court Left It Squarely To Him To Force Southern Compliance

Jackson News 14d(1)

By JAMES [illegible]

WASHINGTON (AP)—President Eisenhower is on the spot, put there by the Supreme Court and Southern states.

For years he tried to soft-talk the problem of school integration. It didn't work. Now he has to act.

Jackson, Miss.

The court, in ruling on Little Rock last Friday, did more than say mob violence and community opposition can't block its ban on public school segregation.

The nine justices, by their unflinching stand, said in effect to the Eisenhower administration: the next step—enforcing our order—is up to you.

Enforcement—or the lack of it—was a central theme in the court's hearings on the Little Rock school board's request for a 2½-year delay in integrating Central High.

Mon. 9-15-58

Richard C. Butler, attorney for the board, criticized the Eisenhower administration for not prosecuting mob leaders in Little Rock. He also criticized the city and state authorities for not preserving order.

P.1

Eisenhower, in the four years since the court's original ruling that segregation by race was unconstitutional, had given no indication his Justice Department had plans for coping with local or statewide defiance of the court.

Instead, he kept calling for patience, although in those four years hardly any integration had occurred in the South. It was as if he had set himself the policy of not irritating Southerners.

But while he talked patience and understanding, the Southern states were bitterly erecting massive barriers of defiance to the court with new laws of their own for blocking integration.

There had to be a showdown sometime. Now it's come in Arkansas and Virginia.

In both states the governors, acting under their new laws, have closed schools ordered integrated by federal judges.

What the administration intends to do is not yet known.

BETTER PREPARED

But at least Atty. Gen. William P. Rogers seems better prepared to meet the days ahead than his predecessor in the Justice Department, former Atty. Gen. Herbert Brownell.

Since Rogers has arranged for a number of extra U.S. marshals to work in Little Rock, he may be planning legal steps like court injunctions, to force compliance with the court order. Marshals could arrest violators.

This indicates more foresight than was shown by Brownell when he headed the Justice Department last September at the time the opposition of Arkansas Gov. Orval E. Faubus and mob violence suddenly blocked integration of Central High.

The Eisenhower-Brownell answer then was to send in troops—a move Eisenhower had previously indicated he never wanted to make—to back up the court.

That was an extreme step. It's one the administration may have to use again, but probably not before it has taken intermediate steps it didn't try before.

The administration's plans for Virginia are also still up in the air.

Desegregation At Early Grade Levels Urged By Sociologists

14d(1) General

World P.1

Wed. 5-7-58

Atlanta, Ga.

INDIANAPOLIS, Ind.— A scholastic intelligence test score is not an adequate measure of ability or potential and has limited usefulness, University of Chicago Professor Allison Davis said recently.

"The difference between the test scores of Negro and white pupils emphasizes the educational disadvantage suffered by Negro students under the segregated school systems in the United States," the education professor said.

Another expert, Dr. Robert Bierstedt, chairman of the sociology department of City College New York, said discrimination, "which is a matter of action," can be dealt with by law while prejudice, a matter of attitude, can be overcome by education.

Both speakers were addressing school principals and guidance counselors at a day-long conference in Indianapolis, Ind., April 25. The conference under the theme "Releasing the Potential of Negro Youth," was sponsored by Delta Sigma Theta Sorority in cooperation with the Indianapolis superintendent of schools.

DAY-OFF ATTENDANCE

Nearly 200 Indianapolis teachers and counselors attended the conference, having been granted a day to do so.

In attendance from start to finish was Dr. H. L. Shibler, general superintendent of schools of Indianapolis, who presented a summary statement shortly before the conference ended.

"There are several considerations that must be taken into account in evaluating the usefulness of test scores as a guide in effecting desegregation in the public schools," Professor Davis said.

Having revealed the inadequacy of scholastic intelligence test scores, the University of Chicago educator listed three other considerations.

"Second," he continued, "the evidence that white and Negro children have equal mental ability at the pre-school age level indicates that the influence of deprived environment is a crucial factor in educational achievement of Negro pupils."

MAY ACHIEVE HIGHER

"Third," Professor Davis added, "a growing body of research evidence demonstrates that Negroes—on the average—have the capacity and educability to achieve at a much higher level than present test scores indicate."

Daily World P.7

"And fourth," he concluded, "the rapid increase in the general level of education of Negroes in this country illustrates their readiness and ability to utilize educational opportunity."

Wed. 5-7-58

Documenting his statements with published reports Professor Davis said: "These research findings clearly urge immediate desegregation of pupils—especially at the early elementary school grade levels. It is at this point that the individual pupil can profit most from improved instruction and experience, and avoid the handicap of inferior educational attainment at later school years."

Atlanta, Ga.

Pointing to the "remarkable rise" in number of degrees awarded to Negroes by institutions of higher learning. Dr. Davis concluded:

". . . There is no point in the academic system at which segregation is defensible on grounds of the Negro's supposed lack of educability and motivation to utilize educational opportunity."

Integration Ousts 300 Negro Teachers

14d(1) General

DALLAS, April 4 (AP)—Integration of Oklahoma schools has cost 300 Negro teachers their jobs, a social scientist said today.

Times Union

"The integration of Negro students has not posed a difficult problem, but the integration of Negro teachers is proving more difficult," Dr. Virgil F. Dougherty of Oklahoma City University told the Southwestern Social Science Assn.'s annual convention.

Sat. 4-5-58

Jacksonville Fla.

"Before integration, there were 1,537 Negro teachers in Oklahoma . . . there are approximately 1,200 left," Dr. Dougherty, who carried out research on integration, said.

School Desegregation Barely Creaking Alon

14d(1) General

NASHVILLE. — (ANP) — A periodic survey of school integration in the South shows desegregation is barely creaking along—or is at a virtual halt.

The Call P.20

The results of the survey was reported last week by the Southern School News and charts the progress or failure of integration at the close of the fourth anniversary of the Supreme court decision of May 17, 1954, against public school segregation.

Fri. 5-16-58

With figures remaining much the same as reported several months ago, the survey records 764 school districts desegregated and 2,125 still segregated.

Kansas City, Mo.

The report covers the South, border states and the District of Columbia. It shows that 15 of 1,354 districts have begun or completed desegregation. These are in Arkansas, North Carolina and Tennessee. The actual number of Negroes in mixed classes in these districts is 270.

No announcements on new desegregations for the fall have been made, although the survey showed some integrated districts planning expansion of their programs.

In West Virginia, the survey reports all of the districts have completed desegregation, either in practice or in policy. In Kentucky 80 per cent of the Negro students are now integrated.

In Delaware, 29 per cent of the districts have begun or completed desegregation; in Maryland, 91 per cent; in Oklahoma, 80 per cent, and in Texas 17 per cent.

No change was reported at public school levels in the die-hard states of Alabama, Georgia, Florida, Louisiana, Mississippi, South Carolina and Virginia, although some state colleges have been integrated in Louisiana and Virginia.

The total number of students in "integrated situations" are 377,286 Negroes and 1,952,761 whites.

Seven Southern States Firm

Integration 'Progress' Bared 4 Years After Court Decision

Weekly P.3

14d(1) General

(SPECIAL)--Amid the howling, panicky, threats of died in the wool Southerners, the Supreme Court, four years ago this month, announced its history making decision, outlawing segregation of races, in the public school systems throughout the country.

Written by Chief Justice Earl Warren, the high sourt declared: "We conclude that in the field of public education, the doctrine of 'seperate but equal' has no place. Seperate educational facilities are inherently unequal.

New Orleans La.

'Therefore, we hold that the plaintiffs and other similarly situated for whom the action has been brought, are, by reason of the segregation complained of, deprived of the equal protection of the laws guaranteed by the fourteenth amendment.''

A total of 17 states, plus the District of Columbia had segregated schools when the decision was announced. Then, one year later, came the enforcement order from the high court: ''Desegregate with all deliberate speed.''

Apparently, some of the states since that order was issued, have different interpretations of what ''all deliberate speed' means, because in the three years since the order was issued, ten of the 17 states have made moves to at least start the desegregation process.

Sat. 5-31-58

But to the other seven hard core Southern states, ''all deliberate speed'' evidently means no action, because that is what they have initiated, no action whatsoever. Alabama, Florida, Louisiana, Georgia, Mississippi, South Carolina and Virginia are just as firmly segregated as they were four years ago in regard to their public school system.

Efforts by Southern congressmen and senators are almost entirely aimed at rendering ineffective federal court power over the local school systems.

Senator Herman Talmadge of Georgia has gone as far as introducing the measure whereby federal courts would have no jurisdiction in school cases. His measure, if passed, would also require appointees of the Supreme Court to have at least five years of experience on lower federal courts.

There is some integration in Arkansas, Tennessee and North Carolina, where a mere 270 Negroes are attending mixed classes.

In Delaware and Texas, less than half the state totals of school districts have been desegregated.

Maryland, Missouri, Oklahoma and Kentucky have integrated in a great majority of their school districts. However, these are border states.

Once the disgrace of the entire United States, the Capitol Washington, is now totally integrated in its schools.

The border states accomplished integration in the school systems smoothly, except for some "mild' picketing in Washington and Baltimore, and a few minor flare-ups in some of the other places.

Then, in September 1956, integration hit a rocky note. In Tennessee and Kentucky, National Guardsmen had to be called out in some areas to enforce integration peacefully.

Perhaps the most outstanding stand against integration, other than the seven Southern state's complete refusal to start desegregation, was the calling out of troops in Arkansas by Governor Orval Faubus to stop Negro students from entering all-white Central High School in Little Rock.

This action prompted President Eisenhower to order regular army units and National Guardsmen to enforce integration. Though Army troops have been withdrawn, the National Guard is still on duty in Little Rock, while eight of the nine original students still attend Central.

What of the future? Will the seven hard core Southern states adhere to their policy of not starting integration processes? What of the claim that may make, concerning the fact that they will abolish their public school systems if integration is eforced?

Only the future holds the answers to these questions. However, there is seemingly going to be a showdown in at least one instance, this coming September. Virginia is likely to be called upon to decide what it will do, either admit Negro students into its public schools, or put its extreme measures of closing the schools in face of integration into effect.

Sen. Douglas Also Blames Congress

Ike Accused of Shirking On Integration of Schools

Herald. P.B.A. Miami, Fla

WASHINGTON — (UPI) — Sen. Paul H. Douglas (D., Ill.) accused President Eisenhower Wednesday of shirking his responsibility to enforce integration of Negro and white students in public schools.

DOUGLAS

Douglas also said Congress is guilty of an "equal failure" to uphold its constitutional responsibility and support desegregation.

14 d (1) General

"It is quite clear that the President has not taken those essential steps which flow from his duties to see that the Constitution's provisions are faithfully observed and enforced," Douglas said.

Thurs 6-26-58

He said Eisenhower has allowed his lieutenants to play the role of neutrals in the struggle for law and order . . ."

Douglas spoke up at the opening of hearings on civil rights bills by a House judiciary subcommittee that drafted the 1957 civil rights law.

General

He said the President has called no conferences of public or private leaders "clearly directed towards desegregation."

Rep. Kenneth B. Keating of New York, senior Republican on the subcommittee, urged Eisenhower to consider such a meeting of white and Negro leaders "representing the whole spectrum of thought" on civil rights.

"I can think of no better first step to reduction and hopefully, elimination of racial strife and tension," he said.

Keating also called for Justice Department intervention in the appeal of an order suspending public school integration at Little Rock, Ark., for two and one-half years.

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770 School Districts Are Now Desegregated

14 d (1) General

NASHVILLE, Tenn. — Southern and border state public schools ended the 1957-58 year with 770 school districts desegregated and 2,129 still segregated, Southern School News said Friday.

World

Late June reports from Oklahoma disclosed that six districts in that state had quietly desegregated during the school year for a total of 220 in Oklahoma alone.

P. 6

Atlanta, Ga.

Of the 770 districts, all but 15 are in the border states and none are in the Deep South. However, Southern School News said it appeared that the wall of "all-level" segregation in five resisting states would be broken for the first time by Florida's compliance with a court order opening graduate schools in its universities to Negro students.

Sat. 7-5-58

The paper reported a stepping-up of court activity, with a precedent broken in the Nashville grade-a-year decision. This ruling, by U. S. District Court, gives the Tennessee city 11 years to complete desegregation—a record-long time.

Southern School News said also that a study in Missouri showed teacher desegregation paralleling pupil desegregation in the larger communities but lagging in the smaller ones.

Susan Myrick

Constitution
Atlanta Ga
Wed. 7-15-58

Both Negroes and Whites Have Big Stake in Schools

In the Macon Telegraph

"Ill-considered, hasty attempts at integration, especially when carried out in impoverished and overcrowded schools, instead of furthering the education of the Negro will surely result in retardation of all students, white and Negroes, and increase rather than alleviate racial tensions."

That statement is not made, as you might think, by a Southern governor nor a president of a white supremacy organization in a Deep South state. The words are quoted from an article in The Atlantic for January, 1958, a magazine published by "Yankees" in New England, and the article in question is written by Agnes E. Meyer, recognized as a trusted and forthright authority on our public schools and as a woman who has devoted long and continuous efforts on behalf of the Negro citizen.

Miss Meyer, in a powerful and moving fashion, writes on the theme that the education of the white child must not be sacrificed for the Negro nor that of the Negro for the white, "or both races will lose and the future of our nation be imperiled."

In a fervent plea for moderation on the part of both Southerners and Northerners, she appeals to the Negro leaders for an understanding of the need for making haste slowly in the interpretation of the Supreme Court's words, "deliberate speed."

That the desegregation of schools is a major social revolution has not been recognized by many who would seek to rush the matter and we are pleased to find in Miss Meyer's article a profound understanding of the burden which has been placed on the shoulders of the school boards and teachers who must guide this major revolution.

She points out the disastrous effects of trying to do "too much too soon" in New York City and shows how the present trend in Manhattan is leading to administrative chaos in the public schools and declares the education of all children will be hampered if the present recommendations are followed. Political pressure of the large Negro vote has influenced the decisions of the New York Committee on Integration, she shows, and she declares "educational standards are of no concern to this commission."

Miss Meyer says forcefully that one of the greatest dangers to the public school system is the legislation passed by Georgia, South Carolina, Mississippi and Virginia to close the public schools rather than allow one Negro to enter a white school.

"The public school system took a century to build but it could be ruined in a short time," she says. "Its interruption even in four states could create a cultural gap that could not be repaired for years."

For the Southern reader of The Atlantic, probably the most-liked statement in Miss Meyer's article will be this: "It would be well, therefore, if the Northern people would concentrate on their own serious problems of desegregation instead of pointing the finger of scorn."

Familiar Rebel Yell

2 Dixie Governors Would Shut Schools

14d V general

Courier
Sat. 1-25-58
Pittsburgh Pa.

RICHMOND, Va.—There seems to be no middle ground or possibility of compromise on the school segregation issue in two states, Virginia and Georgia, where the governors threaten to close the schools if integration is ordered.

In Richmond, Va., new Gov. J. Lindsay Almond was emphatic in turning down any suggestions of a "compromise" and asked the General Assembly for authority to close any public school where Federal troops are used to enforce racial integration.

■

THE 59-YEAR-OLD former state's Attorney General and Congressman, a staunch segregationist, said he would use "every honorable means" to maintain Virginia's rigid pattern of segregation.

"The people of Virginia, I believe, are overwhelmingly against racial integration of the public schools," he said. Almond, speaking before 5,000 at his inaugural, was interrupted repeatedly by applause from the throng.

In Atlanta, the same pattern followed. Gov. Marvin Griffin said he would close the Atlanta city schools if they are ordered integrated as a result of a suit filed by a group of Negro parents.

"There will be no Little Rock (in Atlanta) because the paratroopers can take a hitch in their pants and march up and down in front of an empty school house," Griffin told the Delta chapter of Sigma Delta Chi.

■

GRIFFIN WAS asked, in a question and answer session, if the Atlanta integration suit could result in "another Little Rock"?

He then pointed out that state laws not only would shut off all state support to any school ordered integrated, but also would empower him to close down all schools in the affected district.

"I shall do just that," Griffin declared. "They can't make us run an integrated school," he said.

Integration only a 'crawl' since L. R. filt

News
Wed. 3-5-58
B'ham Ala

CHICAGO, March 5—(AP)—Integration of Negroes into Southern schools has slowed to a crawl since federal troops were employed to force desegregation in Little Rock, Ark., an educators conference was told yesterday.

Only 30 school districts have been integrated in the South since schools opened last Fall, Don Shoemaker of Nashville, Tenn., reported to the Assn. for Higher Education.

Shoemaker is executive director of the Southern education reporting service at Nashville.

In the first two years after the Supreme Court decision on integration, there were 450 districts desegregated and 280 in the third year, Shoemaker said.

"Those who write the laws in most Southern states apparently are resolved to create as many legal roadblocks to integration as the courts will allow," Shoemaker said.

"As public opinion is measured by newspaper editorials, it could be shown that of the 30 (Southern) daily papers of major circulation, hardly a handful are not hostile to desegregation."

Says Segregated Schools Get $192,000,000 from United States Taxpayers

Bystander, Des Moines, Iowa

Thurs. 2-6-58 P. 1

Washington, D. C.,—Testiyfying before a House subcommittee on general education, Clarence Mitchell, director of the NAACP Washington bureau, today urged amendment of existing school aid statutes to require, as a condition of receiving such grants, that the states be in compliance with the anti-segregation rulings of the United States Supreme Court.

Already, Mr. Mitchell told the committee members, the federal government has spent more than $192,000,000 for construction and operation of segregated schools under Public Laws 815 and 874, which provide federal aid to schools in defense-impacted areas.

Submit Plans

In order to halt such expendiures, the NAACP spokesman said, the states should be required to submit plans to the federal government with a clear commitment that "school facilities of the state are open to all children without regard to race. . .; except that if a state plan does not so provide, it shall not prevent payment of funds authorized under this act to such state for use in counties or other political subdivisions within the state that are operating their schools in conformity with the Supreme Court decisions."

$50,000,000 to Va.

The NAACP representative called the roll of southern states which have received handsome grants for the building and operation of Jim Crow schools. Since 1951, Virginia has been allocated more than $50,000,000, "the lion's share of the money under Public Laws 815 and 874," he said. This sum is more than the combined amounts received by the states of Connecticut, Illinois, Indiana, Massachusetts, New York and Pennsylvania.

Bystander

Louisiana, he pointed out, received $5,000,000 and proceeded to enact a law depriving school children of lunch funds if they attended desegregated schools and further providing fines and jail sentences for teachers and other officials in integrated schools.

Thurs

Georgia Gov.

2-6-58

While Governor Marvin Griffin was boasting that his state would not accept federal aid because it would lead to integration, Georgia already had $26,000,000 from the government that it is using to build and operate segregated schools, Mr. Mitchell declared.

Mississippi

Calling atention to the fact that Mississippi pays only 29c in taxes for each federal dollar it receives in grants in aid, Mr. Mitchell said that New York pays $1.82 intaxes for every federal dollar it receives in grants.

In addition to spending federal money on segregated schools, Mr. Mitchell asserted, the defiant states still do not spend as much per child in the Negro schools as they do in the white schools.

U. S. Spends $192 Million For Segregated Schools

Defender Chicago, Ill. P. 3

Sat. 2-15-58

By ETHEL L. PAYNE

WASHINGTON — The United States government has spent over 192 million dollars for the building and operation of segregated schools in states defying the Supreme Court decision.

This was part of the testimony of Clarence Mitchell, director of the Washington Bureau of the NAACP, before the sub-committee on education of the House Labor Committee.

The lion's share of this vast amount went to Virginia, the chief exponent of massive restive resistance to desegregation which received over 50 million dollars. This was more than the combined amounts received by Connecticut, Illinois, Indiana, Massachusetts, New York and Pennsylvania.

Other deep South states in the hard core of rebellion against the federal government which were on the hand out end for federal funds were Louisiana with $5 million; Georgia, $26 million and Mississippi.

Mitchell said that Mississippi pays only 29c in federal taxes for each dollar it receives in grants in aid, while New York state pays $1.82 in taxes for each federal dollar it receives.

The NAACP official charged that Louisiana "snatches sandwiches and milk out of the lunch boxes if they attend desegregated schools and the law carries fines and jail sentences for teachers and school officials in integrated schools."

Mitchell proposed that public laws 815 and 874 be amended to require that plans submitted to the federal government by states must contain a commitment that school facilities of the state are open to all children without regard to race in conformity with the requirements of the U. S. Supreme Court decisions.

The law would not apply to those counties or subdivisions of defiant states which operate within conformity of the court decision.

Though there has been a steady increase in the amount of money the defiant states have spent on education for colored children, it still does not match the amount spent on white children in the same states.

Here is the breakdown on states not complying wtih the Supreme Court decision and the amounts they received during the period from 1951-1956 and include maintenance operation as well as construction.

Alabama, $18,469,506; Arkansas, 14,790,814; Florida, 20,137,376 Georgia, 39,498,142.

Louisiana, 61,167,081; Mississippi, 6,773,033; South Carolina, 15,847,780; Virginia, 71,901,533.

2,129 Districts Still Segregated In Southern Area

News-Courier Charleston, S.C.

Sat. 7-5-58

NASHVILLE, Tenn. (AP) — Southern School News reported Thursday that Southern and border state public schools ended the 1957-58 year with 770 school districts desegregated.

P. 10 A

The paper said 2,129 school districts still are segregated.

Of the 770 districts, all but 15 are in the border states, and none is in the deep South.

The report added that it appeared "all-level" segregation in five states would be broken for the first time with Florida's compliance with a court order opening graduate schools in its universities to Negro students.

The paper said court activity has stepped up all over the region, with a precedent broken in the Nashville grade-a-year decision.

The ruling, by U.S. Dist. Judge William E. Miller, gives Nashville schools 11 years to complete desegregation. The paper said this is a record time.

Southern School News is a monthly publication of the Southern Education Reporting Service, devoted to developments in the field of school desegregation.

14d(1) 1958 GENERAL

Change Of Heart By Many White Southerners

Closed Schools Of 1958 Jar "The Solid South"

By AL KUETTNER
United Press International

14d (1)

ATLANTA—The week before Thanksgiving, 1958, in Atlanta large printed signs began appearing on automobiles. They read: "We want public schools."

In rapid succession three manifestoes were issued by influential groups—the metropolitan Atlanta clergy, the Emory University faculty and Agnes Scott College professors — urging that a way be found to keep public schools open regardless of the outcome of pending integration cases.

Journal & Guide P. 10

• • •

IN MIAMI, EPISCOPAL bishops of the United States adopted a pastoral letter — read in every Episcopal Church in the South—calling for universal obedience to federal laws and for a return to principles of Christian brotherhood in the solving of racial tensions.

In Atlanta, J. H. Calhoun, not long ago one of the most militant of the NAACP leaders in the South, told an assembly at a Negro university that desegregation can only take place in a "favorable atmosphere." He said he hoped that leaders of colored and white races could sit down together and work out their problems in the event a federal court orders integration for Atlanta schools.

Sat. 12-27-58. Norfolk, Va.

DID THE CRITICAL RACIAL troubles of 1958, including the closing of some schools in Arkansas and Virginia, produce a change of heart in a section of America that once had vowed to stand firm against the encroachment of integration?

Much of the Deep South has not changed, but events most certainly have caused some deep reflection and hard planning.

The September school term and final federal court orders to proceed with the integration of famed Central High School arrived in Little Rock, Ark., at about the same time. The Legislature, swiftly summoned into special session, adopted laws that would permit schools to close.

Little Rock voters, apparently fearing fresh violence of the 1957 variety if Central again were integrated, endorsed the closing.

• • •

ARKANSAS GOV. ORVAL FAUBUS conducted a personal nationwide money-raising campaign to produce private funds for operation of high schools in the Arkansas capital. As the year ended there was some form of private education for youngsters displaced by the closing of white high schools.

Virginia also got its first taste of private schools. Federal court orders in Norfolk, Charlottesville and Warren County meant the schools had to integrate or be closed under Virginia's massive resistance laws. They were closed.

Private classes more or less hobbled into operation in Virginia, many of them conducted in basement rumpus rooms of private homes.

AS THE YEAR ENDED THERE was no indication that public education would be resumed soon in any of the 13 schools closed by the race issue—four at Little Rock, one at Front Royal, Va., six at Norfolk and one at Charlottesville. More than 16,000 pupils had been affected.

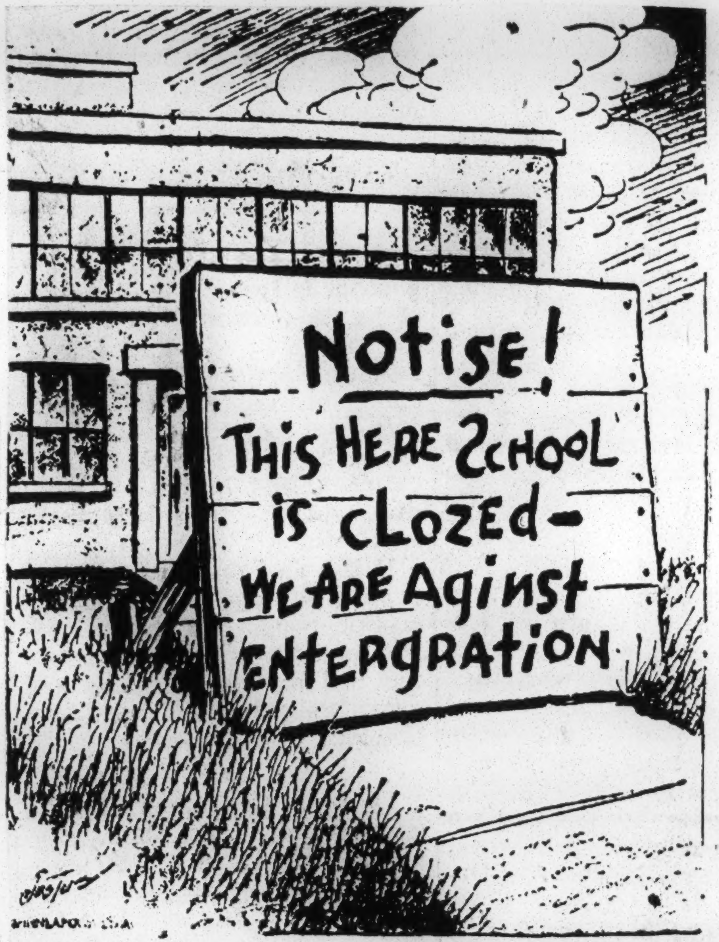
And what portends for 1959?

Look at Georgia, where two important court cases are pending. One, already on trial, attacks segregation practices at Georgia State College in Atlanta. The other encompasses the entire Atlanta public school system. Final settlement in both cases is expected well before the opening of the 1959 fall term.

• • •

RIGHT NOW MANY GROUPS in the Georgia capital are striving to find an answer to the problem. State laws now require the closing of any integrated public school.

Double pressure can be expected in the January session of the Georgia Legislature — one side seeking to strengthen numerous segregation laws on the books; the other side urging adoption of local option laws. It would take a constitutional amendment and a statewide vote to make any basic changes.


Notise!
This here school is clozed - we are aginst entergration

From the Minneapolis Star

Sign Of The Times

Cabinet Member Evaluates Effect Of Closed Schools

Informer

14d(9) general

Houston, Texas

Sat

12-6-58

WASHINGTON, D. C. (NNPA) - The text of the statement of Dr. Arthur S. Flemming, Secretary of Health, Education, and Welfare, evaluating the effects of closing schools in Arkansas and Virginia to avoid desegregation, released at his news conference Monday, follows:

Last September an unprecedented thing happened in America.

Teachers were ready to teach, young people were ready to learn, classrooms, books, and other facilities were all ready - - but in four communities 13 schools did not open.

This was a tragic new circumstance in a Nation which has proudly pioneered in providing free public education for all.

Today, the schools are still closed - - four schools in Little Rock, six in Norfolk, two in Charlottesville, and one in Warren County, Virginia. No one can predict when they will reopen.

At a news conference two weeks ago, I was asked for an evaluation of the effects of closing these schools. I feel that this is an appropriate time to make such an evaluation in view of the fact that this week the closed schools are passing the deadline when it is impossible for them to complete the recognized, minimum school year of approximately 180 days by June 30.

Any effort to complete the school year during the summer months would involve, of course, the payment of additional salaries to teachers and members of the school staff and would undoubtedly be very difficult to arrange.

A precise evaluation of course is impossible. There are some measurable factors such as days of schooling lost. There are reasonable surmises as to obstacles the young people may face in the future. But no one can foresee all the significant social, economic, and psychological effects- on the children, on teachers, on the community- of closing the doors of public schools to our young people.

THE LOST DAYS

I am indebted to the Southern Education Reporting Service for statistical data on the number of regular schooldays lost and the emergency arrangements which have been made for many students.

Since the normal date for opening school, about 16,400 young people already have missed 54 to 63 days of learning in their regular public schools- a total of nearly one million pupil-days.

Informer

Of these 16,400 students, approximately 6,500 are attending improvised emergency classes in homes or makeshift quarters, many of them without laboratory equipment, libraries, or other need facilities.

About 3,000 are traveling varying dstances to public schools in other communities. A little over 1,500 are attending newly established private schools set up especially for this emergency-schools which also often lack laboratories, libraries, and other needed facilities.

Sat

12-6-58

Approximately 250 to 300 are attending regular private schools. Others are attending special night classes in nearby public schools, or getting part time education by mail or through other special courses.

1480

General

It is clear that many parents, teachers, and students have improvised to meet the situation, in an effort to carry forward some type of educational program.

There is little question, however, that many young people in these improvised classes are not receiving the same quality of well-rounded education they would have received in regular public schools.

And all these emergency arrangements still leave about 3,400 young people apparentely deprived of any school whatso ever.

EFFECTS ON TEACHERS

There were about 720 teachers in the closed schools. About 405 apparently are tutoring in improvised classes while 315 evidently are not teaching. Virtually all are continuing to be paid— this year— under their contracts.

It seems logical to conclude that many of these teachers wil not be interested in continuing their professional careers under the conditions that now confront them in these communities. They will have no difficulty in obtaining employment elsewhere in view of the fact that we are confronted with a national shortage of approximately 132,000 teachers.

I was impressed by the following testimony in Federal court by Mrs Mary Johnson, a Norfolk teacher for 36 years, as quoted in the press:

"They (teachers) have put their whole lives in public schools— they see what they have spent all their lives building up falling apart— I can't really describe to you the feeling of insecurity."

Norfolk School Superintendent J. J. Brewbaker was quoted as testifying that school closings were having a demoralizing effect on teachers, and that the State of Virginia as well as Norfolk would have a hard time obtaining instructors next year.

EFFECTS ON YOUNG PEOPLE

While educational losses to the young people involved cannot be measured precisely, there are many reasons for grave concern. Following are some of these reasons:

Some of the young people who are out of school now may never return. During prolonged absences from school some young people develop other interests and lose their motivation or desire to return to school or go on toa college.

Some of those who return to school may not do as well in their subjects. Extended absence frequently causes young people to lose interest in regular, intensive study. Desirable habits are broken.

Further, because of the long void since they last attended regular classes, many students will have to spend more time reviewing earlier studies before they will be well prepared to move ahead into new ground.

Students who return to school after taking part- time courses this year, or only one or two classes, will have difficulty finding their place the normal sequence of the school program. Because of the wide variations in education received by students during the period the regular schools are closed, the schools themselves will have difficulty re-establishing well co-ordinate classes and curricula.

Students who miss long periods of regular education lose much more than formal schooling in the basic academic subjects. They lose the benefit of many other regular activities which are a part of the ordinary school day.

They miss the exposure to good literature, magazines and reference books in school libraries. They lose opportunities to acquire an appreciation of outstanding music and art. They lose the values of such facilities as science laboratories, machine shops, gymnasiums.

Some pupils who are not in school may find some of these opportunities in the home, church, or elsewhere in the community, but such opportunities often are quite limited.

Many of the 2,360 seniors in the closed schools, who had planned to go to college next year and still want to do so, will find serious obstacles in their way. For example, for some, failure to complete a school year of 180 days will create problems when it comes to acceptance of credits for entrance into college.

Some students may be able to overcome such handicaps through individual effort, or by taking special tests: but many students who miss all or part of their regular senior classes may have difficulty meeting college entrance requirements.

There are other effects of closing public schools which may be less immediate but which are significant in the long run. For example, sporadic or insufficient schooling can seriously lessen a young person's future earning power and productivity.

Also, many young people need the sense of purpose-the moral and social guidance – provided by regular attendance in school. There is little doubt that the lack of regular, constructive activities in school can contribute to delinquency.

Further, children who are suddenly unable to attend their regular school may develop a sense of insecurity, a fear that they will not be able to advance in competition with others who are receiving a normal education.

Finally, prolonged and enforced absence from school can affect the development of a young person for future citizenship. Throughout the history of this country, we have increasingly come to understand that our free society can prosper only on the base of an educated and infirmed citizenry, achieved through free public education education for all.

When young people are denied the opportunity of attending school, we risk a loss of their faith in one of America's highest ideals.

I am confident that as the losses flowing from the closing of public schools become more and more evident, the citizens of these communities are going to insist on decisions being made that will result in the schools being opened, under policies that will be in harmony with decisions of the courts.

14d(1) 1958

GENERAL

Desegregation In Dixie Seen Making Progress

Daily World

Atlanta, Ga.

PITTSBURGH (UPI)— A North Carolina attorney said Wednesday night desegregation was making "at least substantial progress" in the South, but warned of new strategy by seven "hard core" states resisting the movement.

Marion A. Wright, vice president and past president of the Southern Regional Council, named the states as Virginia, South Carolina, Georgia, Alabama, Florida, Louisiana and Mississippi.

"These states have adopted 169 statutes designed to prevent integration of schools," he said.

He described these statutes as nothing but a "bomb," one that has fall-outs. These fall-outs were "foul and dastardly deeds" such as "cross-burning, assaults, bombings and murder."

Fri.

14d(1)

11-22-58

HARD CORE STATES

Wright said the seven hard core states were following a new strategy in their back-to-the-wall stand on integration of public schools.

General

He said early efforts of segregationist leaders were directed to stir Southern opinion against the law. But the strategy has been changed.

"They now seek to subvert the public opinion of the North, East and West to the segregationist view," he said.

P. 1

"Of course, they don't call it that. They refer to it as education in states' rights, limitations of judicial power and other erroneous terms. But what they mean is the preservation of a caste system in the South. Under one name or another your aid—you non-Southerners—your aid is now being actively sought. It's the old story—Confederates capturing Yankees."

TH ASSOCIATION

Wright addressed 500 persons attending the 12th annual National Association of Intergroup Relations Officials.

Wright commended Florida, which admitted the first Negro to its law school last September, and Louisiana, which in the same month first admitted 59 Negroes as undergraduates at a white state college.

He recalled that the Supreme Court ruled on May 17, 1954, that racial segregation in public education was unconstitutional.

Daily World

But four years after the event leaders in seven Southern States which declare they will not obey the law," he said. "That is rebellion without the dignity of formal secession."

Fri. 11-21-58

School Closings Rapped

Miami Herald

WASHINGTON — (UPI) — Arthur S. Flemming, Secretary of Health, Education and Welfare, said Monday about 16,400 students at Southern schools closed to avoid integration have missed 54 to 63 days of learning, or about one million pupil-days.

14d(1)

General

Miami, Fla.

He told newsmen the school closings are indefensible and a cause for "grave concern."

He said that despite emergency private school arrangements made in Little Rock, Ark., and in Norfolk, Charlottesville and Warren County, Va., 3,400 children apparently still are not getting any schooling at all.

Tue. 12-2-58

Flemming also said it would not seem likely that private schools in Little Rock set up specifically to get around the Supreme Court's integration decision can qualify for loans under the National Defense Education Act.

P. 3B

The act set up a 70-million-dollar fund for loans to elementary and secondary schools for the purchase of science, mathematics and language equipment. The act specifies that 1-12 of the loan fund be reserved for private schools.

PRESIDENT READY TO CALL ON TROOPS IN SCHOOL CRISES

Times New York

Thurs. 5-15-58

Sees Rights of All in Peril if U. S. Courts Are Defied on Integration Orders

Transcript of news conference and summary, Page 14.

By ANTHONY LEWIS

Special to The New York Times.

WASHINGTON, May 14—It was made plainer than ever today by President Eisenhower that he would use his full powers whenever necessary to enforce school integration orders of the Federal courts.

He was asked at his news conference whether he would use troops again to back up a court integration order, as in Little Rock, Ark., last fall. He did not answer directly, but he left reporters with the strong impression that he would, if need be.

"There is no person in this room whose basic rights are not involved in any successful defiance to the carrying out of court orders," the President said. [Question 5, Page 14.]

Meanwhile, the Senate overrode strident Southern objections and confirmed the nomination of Gordon MacLean Tiffany as staff director of the Civil Rights Commission. The vote, which followed an afternoon of debate, was 67 to 13.

Pending for 3 Months

The Tiffany nomination had been pending for almost three months. Confirmation will permit the new commission, which was created by the Civil Rights Act last September, to start its work.

A related nomination—that of W. Wilson White to head the Justice Department's new Civil Rights Division—remains bottled up in the Senate Judiciary Committee. Southern members have said they wanted Mr. White to appear at another hearing, but no date has been set for it.

The President was asked today whether he planned to push for Mr. White's confirmation. His answer recognized the power of the Judiciary Committee Eastland, Democrat of Mississippi.

'Very Difficult Situation'

"If a Senate chairman wants to bottle that appointment up for a long time," General Eisenhower said, "you have a very difficult situation; and I, for one, have not yet found a really good way to get it out of there." [Question 13.]

On the use of Federal troops, the President emphasized, as he has before, that for him the issue in Little Rock had not been segregation but obedience to court orders.

"I did not send troops anywhere because of an argument or a statement by a Governor "There was a court order, but there was a statement by the Governor [Orval E. Faubus] that he would not intervene to see that that court order would be exercised."

President Eisenhower went on to say that he would not "try to predict what the exact circumstances in any other case will be." And he repeated his past statements that he deplored the need to use troops.

But then he told the news conference how he felt it was so important to enforce court orders. He gave the example of a man in jail "unjustly, illegally, unconstitutionally" who had obtained a writ of habeas corpus from a Federal judge.

Times 5-15-58

Poses a Question

Thurs 5-15-58

Suppose, the President said, the town is inflamed against this man, "the Governor won't intervene, the marshal of the court is powerless, no one can do anything" to help him exercise the order that should get him out of prison.

"What is a President going to do?" General Eisenhower asked the audience. "Now that is a question you people answer for yourselves. I answered it for myself."

Associated Press Wirephoto

EMPHATIC: The President at news conference yesterday

Later the President shied strongly away from a suggestion that he might order "quiet investigations" in advance by the Federal Bureau of Investigation in an effort to prevent incidents such as the one at Little Rock.

"I don't believe that you can start a Gestapo," the President said, "and have a secret police going down into every place they can to worm out of people what their evil intentions can be." [Question 13.]

In the Senate vote on Mr. Tiffany, all thirteen votes against confirmation were cast by Southern Senators.

Six Southern Democrats, however, voted for confirmation. They were Senators George A. Smathers and Spessard L. Holland of Florida, Estes Kefauver and Albert Gore of Tennessee and Ralph W. Yarborough and Lyndon B. Johnson, the majority leader, of Texas.

Mr. Tiffany, who is 45 years old, will be paid $22,500 a year in his new post. He will direct the commission's proposed broad study of civil rights problems.

The Proceedings In Washington

YESTERDAY

(May 14, 1958)

THE PRESIDENT

Held a news conference. Conferred with Chairman Strauss of the A. E. C.

THE SENATE

Confirmed nomination of Gordon M. Tiffany as staff director of Civil Rights Commission. Passed bill requiring that new autos carry prices and other data for buyers. Adjourned at 7:10 P. M.

Senator Ives of New York announced he would not seek third term.

Rackets committee will investigate alleged collusive agreement between A&P and meat cutters union in New York.

THE HOUSE

Passed foreign aid authorization bill. Adjourned at 6:51 P. M.

Ways and Means Committee effected a compromise reciprocal trade agreements extender bill.

DEPTS. & AGENCIES

Federal Reserve reported industrial production off another 2 points in April.

SCHEDULED FOR TODAY

(May 15, 1958)

Vice President Nixon arrives from South America, 11 A. M.

House and Senate meet at noon.

14d(1) 1958

GENERAL

"LITTLE ROCK" BILLS

LEGISLATURES IN FIVE SOUTHERN AND BORDER STATES CONSIDERING CLOSING OF PUBLIC SCHOOLS IF FEDERAL TROOPS ARE SENT TO PATROL . . . . .

To close schools if troops used—

Five state legislatures adopt 'Little Rock' bills

News P, 38 B'ham Ala

Wed 2-5-58

NASHVILLE, Tenn., Feb. 5—Legislatures in five Southern and border states are considering so-called "Little Rock" bills to require closing of public schools if federal troops are sent to patrol them, Southern School News reported here today.

The publication noted also the first announcement of planned desegregation in a school district—this one a district in Oklahoma—since November. If Bristow district in Creek County begins desegregation next year for economic reasons as announced, it will bring to 763 the number of desegregated districts in 17 Southern and border states.

During January, said Southern School News, an effort was launched in a second state of the Deep South to end public school segregation. A suit by Negroes seeking entry to all-white schools, filed in Atlanta, Ga., followed a similar suit filed the previous month in Birmingham, Ala.

"Little Rock" bills have already made some progress through the legislatures of Delaware and Virginia and have been proposed in Georgia, South Carolina and Mississippi. Generally, they follow the pattern of legislation adopted in Florida and Texas, which requires automatic school-closing if federal troops are employed to enforce a court desegregation order.

IN A REVIEW of 145 pro-segregation laws adopted in 11 states in the past four years, Southern School News said nine of them had been declared unconstitutional. It listed some 30 current and active court cases involving school entry and related matters. Of these, 10 concern the principle of pupil assignment, upheld in North Carolina but ruled invalid under state laws in Virginia and Louisiana.

A summary of major developments state-by-state during January follows:

ALABAMA—A large field of candidates, all pledged to maintain segregation, entered the race for the Democratic nomination for governor. In answering a school entry suit, the first of its kind in Alabama, Birmingham's Board of Education contended that petitioners were premature in going to Federal Court and should have awaited administrative action.

ARKANSAS—Little Rock's Central High School, scene of bombing threats and incident involving students, still claimed the spotlight. Elsewhere in Arkansas, seven integrated school districts reported all was quiet.

DELAWARE—The education committee of Delaware's lower House reported favorably a bill to close any public school where federal troops were called "to prevent violence or alleged acts of violence."

DISTRICT OF COLUMBIA—Reading rediness tests showed almost 50 per cent of elementary children in "low normal" or "poor risk" categories, though the majority are average or above in intelligence.

FLORIDA—A Negro publicist who has been trying for nine years to enter the University of Florida law school filed a new action in Federal Court, but was unable to get an injunction for immediate admission.

GEORGIA—Ten Negro parents filed suit on behalf of 28 children to gain entry to all-white schools in Atlanta. The Legislature had at least eight new pro-segregation measures before it, including three dealing with schools.

KENTUCKY—Adair County, first district to desegregate under court order, reported its schools "pretty quiet" and that after two years "people just don't talk about it any more."

LOUISIANA—A growing number of school board officials were reported opposed to projected legislation which would close public schools rather than permit them to be desegregated.

MARYLAND—A study of desegregation in Baltimore showed that in the fourth year of the program enrollment of Negroes in formerly all-white schools had increased 50 per cent over the previous year, but that more than 80 per cent continued to attend all-Negro schools.

MISSISSIPPI—A bill closing schools if federal troops are used to enforce integration was pending in two legislative committees. Another bond issue to finance a second $27 million expenditure for equalization of school facilities was authorized.

MISSOURI—St. Louis schools, reporting on the influx of new students in Negro areas, noted that more than one-third of them had come from Mississippi.

NORTH CAROLINA—Lumbee Indians of Robeson County routed a Ku Klux Klan rally after Klansmen had burned crosses before Indian homes. The state Supreme Court ruled that the Greensboro School Board acted legally in assigning six Negro children to all-white schools last Fall.

OKLAHOMA—One new district—Bristow, in Creek County—announced plans for 1958-59 secondary school desegregation under the stress of financial difficulties incident to operating separate schools.

SOUTH CAROLINA—An undisclosed number of Negro college students sought—and were denied—admission to the all-white University of South Carolina in a move linked to state withdrawal of approval of teacher-training at a Negro college. Legislation was recommended for school closing in the event federal troops are ordered into a school situation.

TENNESSEE—Two of the state's four largest cities, Nashville and Knoxville, face showdowns during 1958 on desegregation and college admission is an issue in a third city, Memphis.

TEXAS—Dallas, under a court order to desegregate "with all deliberate speed," asked a federal court what it should do in the light of a state law which bars state aid to a district that desegregates without a referendum.

VIRGINIA—Three of the state's "NAACP laws" were held unconstitutional in a 2-1 decision by a special three-judge federal court, while a state court upheld legislative subpoena of the NAACP's membership lists. A bill to close schools patrolled by federal troops was recommended by incoming Gov. J. Lindsay Almond and adopted by the Senate.

WEST VIRGINIA—Desegregation at formerly all-Negro West Virginia State College was pronounced a success by the institution's president.

Five States Consider Bills To Close Schools If Federal Troops Are Sent

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2-6-58

Charleston S.C.

14d(1) 1958 GENERAL LOOK MAGAZINE

Survey Shows Dixie Youth Speak Out for Integration

14d(1) General

Courier

Pgh

NEW YORK—An increasing number of white teen-agers in the South are speaking out in favor of integrated schools, a survey in the new issue of Look magazine has disclosed.

- Based on numerous interviews with white high school students, writer Fletcher Knebel reported that "Dixie's new rebels" are advocating integration publicly and "even aggressively" and that "the impact of their views could grow with the years."

Pittsburgh

Pa.

The magazine warned that it would be a mistake for Southern segregationists and state officials to shrug off these youngsters, many of whom have taken their stand only after long and tortured thought.

14-d(1)-

■

"FOR SOME," the Look article said, "it has meant opposing the deep-seated convictions of their parents, relatives and friends."

- **It would likewise be a mistake, Knebel cautioned, for Northern integrationists and Federal officials to see youthful rebellion roaring through the Southern states.**
- **"Rather, the revolt is a murmur," he said, adding:**

"The young iconoclasts, moreover, are divided among themselves; some of the positively favor integration, others are merely willing to accept it, while still others simply prefer an integrated school to a closed school. This last is by far the largest group."

Dec 58

27

14d(1) 1958 GENERAL GOVERNORS' CONFERENCE ✓

Virginia Governor Says Supreme Court Decision Won't Integrate Schools

General
14d(1)

By WILLIAM THEIS

MIAMI BEACH, Fla. — (INS) — The stormy school integration issue was thrust unofficially into the annual Governors' Conference Monday despite every effort to keep it out.

Call P.1

Virginia Gov. J. Lindsay Almond served notice that the Supreme Court's action in refusing to consider his state's appeal from an Arlington county integration order will not halt closing of any school where integration occurs.

5-20-58

Kansas City
Mo

And at the same time Arkansas Gov. Orval Faubus told a news conference is it "possible" he would again call out the National Guard to preserve the peace in another Little Rock integration crisis.

The racial problem came up during this 50th anniversary conference of the governors even as those attending split sharply on another federal-state problem—President Eisenhower's offer to shift some federal activities and tax money to the states.

Discussion of the school integration issue is not on the governors' formal agenda and even Faubus said Monday he has "no intention" of bringing it up officially. But after news of the Supreme Court decision dismissing Virginia's appeal from the order on integration of seven Negro students reached Miami Beach, Gov. Almond said:

"I see no change in the situation in Virginia. We have state laws which we believe to be intact and they will be applied in an honest effort to save public education from the chaos which these decisions would impose upon it."

Virginia's anti-integration law says that the schools in any community must close if racial integration takes place. Monday's Supreme Court action was seen as clearing the way for enforcement of a federal district court order by Judge Albert V. Bryan of Alexandria, Va., that Negroes be admitted to four white schools.

14d(1) 1958 GENERAL

New Civil Rights Bill Proposed To Force School Integration

Sen. Douglas To Introduce The Measure

Daily Home
Talladega, Ala.
Mon. 2-10-58

WASHINGTON (AP)— Thirteen senators joined today in proposing a bill designed to encourage racial integration of schools, but to compel compliance with Supreme Court rulings in that field if necessary.

P. 1

The new civil rights measure also would arm the attorney general with authority to seek federal court injunctions for the protection of civil rights generally—a proposal defeated last year after a bitter battle.

Sen. Douglas (D-Ill.) announced he was introducing the bill with twelve other senators, seven Democrats and five Republicans, as cosponsors. He said a companion measure was being introduced in the House.

14d(1)
General

The legislation would authorize appropriation of 12½ million dollars over the next five years for federal assistance to states and local government units in developing community understanding and plans for school integration.

In addition, federal grants of 40 million dollars a year for each of the next five years would be authorized for school buildings, the employment of additional teachers and other costs incident to eliminating racial segregation.

Douglas noted that under this section funds could be made available to "local communities that wish to comply with the court's decisions, but where, as in Georgia and Virginia, the state threatens to cut off funds or close the schools."

Should efforts to achieve voluntary compliance fail, the secretary of health, education and welfare would be empowered by the legislation to draw up school integration plans in line with the Supreme Court's ruling.

If the secretary were unable to secure their acceptance from state or local officials, the attorney general wuold be authorized to seek federal court injunctions to force compliance.

The rest of the bill, under which the attorney general could obtain injunctions against violations of civil rights generally, would revive in somewhat altered form a section stricken by the Senate last year from the administration's civil rights measure.

The Civil Rights Act passed by Congress at the last session, the first to be enacted since the end of Reconstruction era, limited the use of this injunctive process to the protecting of voting rights.

Atty. Gen. Rogers said that if Congress were to pass this year the provisions it knocked from the bill last year, he would recommend that President Eisenhower sign the new measure.

He added in a television interview that the administration will not request such action. Rogers had said earlier that he would recommend no new administration proposals on civil rights this year.

Rabbi Urges Negro Fight For Stature

Post + Times Herald
Washington, D.C.
Thurs. 3-13-58

The battle for desegregation is "for all intents and purposes over," Rabbi Balfour Brickner said yesterday.

P. 20-C

Rabbi Brickner

"Now, Negroes must fight the battle for stature," he added in a speech at the closing session of the National Workshop for Religious Liberals at All Souls' Unitarian Church.

Rabbi Brickner stressed the role of Negro churches in achieving stature for their members. Until now, he said, many Negro churches have been basically fundamentalist.

14d(1)

Fundamentalism was necessary at first, he added, but the Negro church now needs social action.

General

He urged a conference of Christian and Jewish church leaders to "sit down with Negro church leaders" and work with them or the problem.

He also proposed a national religious campaign to raise uncommitted "peace dollars" from church members in the United States to be used "solely for the purpose of peace."

Percival F. Brundage, Director of the Budget, told the workshop government and religion "should give a stimulus to new ideas, provide leadership, but not management." He said the United States should help other free countries, but "without imposing our own system, our own ideology or doctrines."

The Rev. Ross Weston, minister of the Unitarian Church in Arlington, final speaker of the workshop, called for a campaign to educate politicians to liberal ideas.

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7 Dixie States Maintain Segregated Schools

Herald

NASHVILLE—(UP)—Southern School News said Monday that four years after the U. S. Supreme Court's ruling against school segregation seven Southern states still had complete segregation.

Miami, Fla.

The News, published here by the Southern Education Reporting Service, said Alabama, Florida, Georgia, Louisiana, Mississippi, South Carolina and Virginia had kept segregation at all public school levels.

P. 10 A

In Louisiana and Virginia some state colleges were desegregated, the publication said.

Tues. 5-6-58

The report, a special four-year survey, said that there have been no announcements of desegregation next fall in additional school districts.

General

Some districts plan an expansion of their desegregation program, the News said.

It said 764 school districts have been desegregated since the Supreme Court decision but 2,125 remained segregated.

14d(1)

There were 1,952,761 white students in "integrated situations" at latest count, along with 377,286 Negroes, the report said.

The News said that most of the students in integrated situations are in the border states and the District of Columbia.

Outside the border states, about four per cent of the students are in integrated situations, it said.

Integration Hits Negro Teacher Hard, 300 Jobless

Defender P.2 8

14 d l

General

DALLAS, Texas — (ANP) — Integration of schools in Oklahoma and Texas has brought a knotty problem — what to do with the Negro teachers?

In Oklahoma, 300 Negro teachers have lost their jobs as a result of school integration. This information was imparted by Dr. Virgil F. Dougherty of Oklahoma City university, at the annual convention of the Southwestern Social Science association last week.

Dr. Dougherty said: "Integration of Negro students have not posed a difficult problem but the integration of Negro teachers is proving more difficult.

Chicago Def

"Before integration there were 1,537 Negro teachers in Oklahoma, whereas there are now approximately 1,200.

"INTEGRATION INEVITABLE"

In Corpus Christi, Tex., 14 candidates for school board posts aired their views on Negro teachers integration.

Sat 4-19-58

All agreed that integration of these teachers into the school system "is inevitable," but said much study and careful planning needs be applied before it will happen,

Meanwhile in Washington, Congress was urged to put "firm anti-integration safeguards" in any school bills is contemplates in the future.

The request was made by Clarence Mitchell, Washington NAACP chapter director, before the house education subcommittee, currently considering various bills for college scholarships and grants to states to strengthen science and mathematic training in public schools.

General

Mitchell said no state should receive federal education aid unless its officials pledged that funds be spent in accordance with the Supreme court decision outlawing school segregation.

14 d l

He disagreed with the view of Rep. George S. McGovern (D., S.D.) that such would "kill any chance of passing any school legislation this year."

INTEGRATED IN ARIZONA

A visitor at the annual meeting of the social science group's annual meeting in Dallas recalled the situation in Phoenix, Arizona, after the schools were integrated and harmony prevailed in all school districts in the "Valley of the Sun."

It was pointed out that Negro teachers, as well as students have been integrated into the Phoenix school system and have been made welcome by principals, fellow instructors and officials of the Board of Education.

While the Negro population in the Resort City is comparatively small — Indians, Mexicans and other Nationals being present in large numbers — acceptance of the Negro teachers followed closely on the heels of admission of Negro students in elementary and high schools.

Negro athletes have also distinguished themselves at the Arizona state colleges. Observers stated that what has happened on a small scale in Arizona will eventually be the pattern for the state of Oklahoma.

'We won't lend churches for segregated schools'

Afro American P.15

NEW YORK — A dozen Protestant church leaders have agreed unanimously that churches should not lend their property to the establishment of private segregated schools in the event some Southern areas close their public schools.

They made their views known in answering an "inquiring reporter" for The Presbyterian Outlook,' weekly published at Richmond, Va. Most said that churches should not help circumvent the historic U.S. Supreme Court decision on public school integration or help destroy the public school system.

14 d l

Sat 4-19-58

Some reminded the reporter of the principle of church-state separation, and several noted that segregation based on race and color is un-Christian. Rather, said one, churches should announce that their facilities and fellowship are available for all persons regardless of race.

* * *

INCLUDED AMONG the signers were G. B. Oxnam, Methodist Bishop of Washington, Eugene C. Blake, stated clerk, Presbyterian, U.S.A., General Assembly; W. M. Elliot Jr., moderator, Presbyterian, U.S.A., General Assembly; Douglas Horton, dean of the Harvard Divinity School; Francis P. Miller, president, Virginia Council of Churches; Reinhold Neibuhr, Union Theolgical Seminary and Harold Fey, editor of The Christian Century.

School Integration Working In South, Paul Rilling Declares

14 d l General

By WILLIAM A. FOWLKES

(WORLD Managing Editor)

School integration in Southern states is steadily advancing, however slowly, and working well in the majority of integrated schools, a Southern Area YMCA official told the Butler Street YMCA Hungry Club Wednesday.

Paul M. Rilling, Associate Student Secretary Project Director for the Southern Area YMCA, revealed that there are only two states in the South where there is not at least one or more integrated schools. Five "hard core" Southern states including Georgia, South Carolina, Alabama, Mississippi and Florida have no reported public school integration.

Daily World P.1

While noting the various resistance movements and tactics employed in the South to circumvent the Supreme Court rulings Mr. Rilling said he was encouraged by college-level integration and predicted of the future:

"The South won't be a paradise. But, I suspect it will be a law-abiding area within the United States.

Thurs. 5-1-58

"UNCONCERNED" STUDENTS

The speaker warned that not too much could be expected in the way of mass response to integration from white students, since they seem not to be too much concerned about the issue, one way or the other. However, Mr. Rilling declared that the white students are generally not to be found among resistance and agitating leaders, wear no sheets," and can be depended upon not to have the prejudiced attitudes of their elders. This is a hopeful sign in the South ,the speaker said.

Atlanta, Ga.

Rilling noted that problems exist in integrated schools of higher learning because of 1, outside pressures, 2' "only formal desegregation" practicces in many institutions, 3. continued resistance to admittance of undergraduate Negro students in "integrated" universities, 4. continued bars to the peripheral facilities of such schools and 5, the low academic averages of some integrated Negro college and graduate students.

Statistics on Southern integration furnished by the speaker showed that in the 17 area states 228 or over 41 percent of the 553 schools of higher learning have been integrated; 112, or over 50 percent of the 202 public universities and colleges have been desegregated; 77 percent of Catholic institutions have been mixed; and 32 percent of Protestant Church schools have been integrated.

Daily World P.1

Thurs. 5-1-58

More than 2,000 Negro students are not going to former all-white Southern institutions of higher learning, Mr. Rilling reported.

Atlanta, Ga.

14d(1) 1958 GENERAL PRIVATE STATE SCHOOLS CAN USE DEFENSE EDUCATION AID

Private, State Schools Can Use Defense Education Aid

By LOUIS LAUTIER

WASHINGTON, D. C. — (NNPA) — Private as well as state-supported institutions of higher education will be eligible to participate in most of the programs authorized by the National Defense Education Act of 1958.

This means that institutions like Howard, Hampton, Tuskegee Institute, Atlanta University, Morehouse College, Fisk, Dillard, and the church-supported schools scattered throughout the South, as well as state-supported institutions like Morgan State, Virginia State, West Virginia State, Kentucky State, Savannah State, Prairie View and Lincoln University at Jefferson City, Mo., may qualify for such programs.

Dr. Arthur V. Flemming, Secretary of Health, Education and Welfare, at a press conference Monday called the National Defense Education Act "one of the most exciting developments which have taken place in my lifetime."

He said it will have significance in the field of education far beyond that envisaged by its most enthusiastic supporters.

EFFECTIVE PROGRAMS

The United States Office of Education is in the process of putting into effect the many important programs authorized by the Act.

Dr. Flemming said he is "pleased with the heartening progress being made," although a multitude of detailed plans and arrangements must be worked out before Federal Funds are actually paid out to states and educational institutions.

Funds will be available to states and educational institutions by January and February for most of the new programs under the Act, Dr. Flemming said.

Included in this timetable, Dr. Flemming listed funds for loans to college students, for area programs, grants to guidance, counseling, and testing in elementary and secondary schools.

Also funds to help purchase equipment to strengthen science, mathematics, and language instruction in elementary and secondary schools, for research in the use of television and related media, and for improving statistical services.

Dr. Flemming beileves that the provisions in the Act for graduate fellowships, and aid for the purchase of additional equipment for science, mathematics and language instruction are going to be more significant than some of the other provisions in terms of the kinds of incentives and leadership they provide.

"What we need in our country," he said, "is to give everybody an equal opportunity to reach his or her potential."

He also believes that more will have to be done in providing better salaries in order to attract and retain A-No. 1 teachers.

TO ACCREDITED SCHOOLS

Private schools of the type being set up in Little Rock will not share in any of the programs for secondary and elementary schools Dr. Flemming reiterated what he said in a previous press conference that any school sharing in any of these programs must be accredited.

Four new branches have been created and a number of important personnel appointments have been made in the Office of Education to help put the Act into effect.

A new Financial Aids Branch will be headed by Dr. Homer D. Babbidge, former director of financial aids at Yale University and, more recently, Assistant to the Secretary of Health Education and Welfare.

Dr. J. P. Elder, professor of Latin and Greek and dean of the Graduate School of Arts and Sciences at Harvard, will be in charge of the graduate fellowships section.

Dr. Kenneth W. Mildenberger, now on leave from his post as associate secretary and director of the Foreign Language Program, Modern Language Association, will serve as consultant in establishing foreign language training and research centers, and training institutes.

AUTHORIZATIONS

The program authorized by the Act are:

1. Area Vocational Education Programs: Funds authorized for this program are $15,000,000 for the current fiscal year, $15,000,000 for the next fiscal year, and an initial stopgap appropriation of $3,750,000. Matching by state and local funds is required.

This program, added to existing vocational education programs, will give training of less than college grade to young people and adults

14d(1) 1958

GENERAL

10 SOUTHERN STATES HAVE LEGISLATIVE O.K.
TO CLOSE SCHOOLS

✓

10 Southern states have legislative OK to close schools

Birmingham News
Birmingham Ala.
Oct 5 58
p. B4

NASHVILLE, Tenn., Oct. 4 —Ten Southern states have laid the legislative groundwork for closing public schools as anti-integration measures, as Virginia and Arkansas already have done, Southern School News reported today.

The first shutdowns—at Front Royal, Charlottesville and Norfolk, Va., and at Little Rock, Ark.—left about 16,000 pupils without classrooms in 13 public schools.

Since the U. S. Supreme Court's 1954 desegregation edict, the legislatures of four other states have enacted laws providing for closing of schools faced with racial integration. These are North Carolina, Alabama, Louisiana and Mississippi. Two states, South Carolina and Georgia, took the step prior to 1954 in anticipation of the Supreme Court decision.

Two other states, Florida and Texas—as well as Virginia—have enacted laws providing for the closure of schools policed by federal force intent upon implementing federal court orders for desegregation.

AN UPDATED Southern School News summary showed, as of the first of October, 790 desegregated school districts out of 2890 bi-racial districts in the 17 Southern states and the District of Columbia. Of their total enrollment of 12,629,434 pupils, 2,970,344 are Negroes. And of the Negro total, 402,403 are in districts wh— have begun or completed the desegregation process.

"I don't think federal authorities have any legal right to stop me from closing the Little Rock high schools," Gov. Orval Faubus of Arkansas said.

"There is no doubt about the susceptibility of these school closing provisions to legal attack," Jack Greenberg, counsel for the National Assn. for the Advancement of Colored People said.

"THERE IS NOTHING in the federal Constitution that requires a state to provide public education," was the view expressed by James C. N. Paul of the University of Pennsylvania law school.

Paul added the closing of certain selected schools might be found discriminatory from a legal standpoint, but that the laws authorizing shut-down of entire state school systems are a different matter.

Virginia's attorney general began a state court test of the constitutionality of school closing laws in that state which include provisions for tuition grants to pupils to be used for private education. And a private corporation's proposal for operating leased public school facilities in Little Rock on a private basis was restrained by two federal circuit judges. The U. S. Justice Department, while joining the NAACP's attack on private school plans, has not indicated what action it may take against school closures.

Other developments, by states:

ALABAMA — Although no Negroes appeared for enrollment, a flareup developed outside Phillips High School in Birmingham, where violence erupted last year when several Negroes attempted to enroll.

ARKANSAS — With Little Rock's high schools closed, trouble developed at Van Buren and Ozark where Negroes were harassed by white pupils. No trouble was reported in Arkansas' six other integrated school districts.

DELAWARE — New Castle completed its stairstep plan and moved into its complete desegregation. An integrated school within a segregated district opened on Dover Air Force Base.

DISTRICT OF COLUMBIA —School authorities anticipated an increase in Negro enrollment in public schools from 71.2 to 73.8 per cent. There was an estimataed total enrollment of 113,000, including 83,763 Negroes and 29,737 whites.

FLORIDA — The first Negro to enter the University of Florida enrolled without incident. It was the state's first public school integration anywhere.

GEORGIA—Lt. Gov. Ernest Vandiver, who said he'd use the National Guard and Highway Patrol, if necessary, to prevent integration, was overwhelmingly nominated governor. In Democratic Georgia that's equivalent to election.

KENTUCKY — U. S. marshals were sent to Madisonville after several incidents developed over enrollment of Negro children at an elementary school.

LOUISIANA — Louisiana State University opened a new branch at New Orleans with 59 Negroes enrolled under federal court order.

MARYLAND—As estimated 5000 additional Negroes were enrolled in integrated public school classes.

MISSISSIPPI — NAACP branches in the state called for immediaate integration in public schools to put a stop to what they called acts of intimidataion against Negro pupils.

MISSOURI—A psychologist reported a study showed teachers in integrataed schools undergo a change of attitude and become "inconsistent" in intergroup relations.

NORTH CAROLINA—Three Piedmont cities entered the second year of limited integrated without public outbreaks but with sub-surface strain evident.

OKLAHOMA — Thirty Negroes were reported serving on integrated faculties in 12 school districts. The number of Negro teachers displaced by desegregation in Oklahoma showed a decline for the second year.

SOUTH CAROLINA — Public schools opened with a record attendance nearing 600,000. Negro enrollment reached 69 per cent of the total in Charleston.

TENNESSEE — Memphis State University postponed acceptance of Negroes. Nashville completed integration of second grade classes.

TEXAS—A district court set Oct. 27 for a hearing in Dallas on a test of state laws affecting desegregation.

VIRGINIA — Nine schools remained closed while the state pondered the next move on its "massive resistance" to federally-ordered desegregation.

WEST VIRGINIA—For the first time since the Supreme Court's 1954 decision the state's schools opened this Fall without demonstration.

SOUTH PASSES 196 ANTI INTEGRATION
STATUTES

14d(1) 1958

GENERAL

South Passes 196 Anti Integration Statutes

NASHVILLE, Tenn. — Southern states have enacted a total of 196 school segregation laws since the U. S. Supreme Court's 1954 decision, Southern School News reported today.

Defender

These include 21 laws adopted this year by five state assemblies. In all, 11 states now have adopted segregation legislation.

P.9

The five which have taken action during the year are Georgia, Louisiana, Mississippi, South Carolina and Virginia. All previously had passed measures of one sort or another.

The other six with anti-integration laws adopted since 1954 include Alabama, Arkansas, Florida, North Carolina, Tennessee and Texas.

Chicago, Ill.

CLOSE SCHOOLS

The assemblies of Louisiana, Mississippi and Virginia this year enacted laws providing for closing public schools faced with desegregation. Georgia took cognizance of this possibility by revising its compulsory attendance statute.

Alabama, North Carolina and South Carolina already had taken school-closing action, making a total of seven states with similar laws.

Sat. 8-16-58

A new tabulation shows a total of 777 desegregated districts and [illegible] still segregated in southern and border state public schools. This represented an increase of seven—all in Oklahoma—since last month's tabulation.

WEST VIRGINIA — The state school superintendent announced a new program to be inaugurated this fall to create better uderstanding among the races on school desegregation.

Other major developments by states:

ALABAMA:—The first serious challenge to Alabama's public school segregation may be ruled on by the U. S. Supreme Court in October. The high court has before it an appeal from a three-judge federal court decision that the state's Pupil Placement Law is not unconstitutional "on its face."

ARKANSAS: — Rep. Brooks Hayes, a moderate, defeated a segregationist opponent in the same primary in which Gov. Faubus won. Both sides in the court contest over the two-and-one-half year delay in segregation at Little Rock Central High prepared arguments for presentation before the U. S. Eighth Circuit Court of Appeals at St. Louis Monday.

DELAWARE: — The Third Circuit Court of Appeals granted the Delaware Board of Education time to appeal to the U. S. Supreme Court a court order to formulate a general desegregation plan. The board has until mid-August to file its petition. A survey disclosed that 48 percent of the state's public school enrollment is in "desegregated situations."

nscly — --re

DISTRICT OF COLUMBIA — A Senate committee asked the Justice Department for all inside memoranda involved in the presidential decision to send troops to Little Rock last fall. The District school board approved a $58 million school budget for 1959-60. The House approved and sent to the Senate a bill to raise pay of Washington teachers an average of 13.7 per cent.

FLORIDA:—The University of Florida made preparations to receive its first Negro students at the fal term opening. University officials predicted desegregation would be accomplished without disorder.

GEORGIA:—The Georgia Commission on Education, organized in 1954 to seek methods of circumventing the school segregation decisions, became involved in a controversy over the gubernatorial campaign.

KENTUCKY: — Gov. A. B. Chandler demanded the resignation of the state superintendent of public instruction following announcement the education official would manage the campaign of a gubernatorial candidate. The superintendent, Dr. Robert R. Martin said he would not resign.

LOUISIANA: — Gov. Earl K. Long signed five new school segregation bills. They give him, among other things, power to shut down schools and sell the buildings to private groups rather than permit desegregation.

MARYLAND:—Both Democratic and Republican campaign platforms call upon all Maryland counties to comply with the Supreme Court's school desegregation decision. With the new school year, Baltimore County will integrate teachers.

MISSISSIPPI: — A legislative committee opened its inquiry into the National Association for the Advancement of Colored People. A three-judge federal court took under advisement a suit attacking the state's voter-registration statute as being discriminatory against Negroes. The Rev. Clennon King said he had abandoned his efforts to enter the University of Mississippi.

MISSOURI: — U. S. District Judge Roy W. Harper at St. Louis handed down a memorandum opinion indicating a decision would be against eight Negro teachers who went to the courts after losing their jobs in the desegregation of the Moberly, Mo., schools.

NORTH CAROLINA:— Parents of white children in Charlotte moved to put to use the "Pearsall Plan" to prevent their children going to mixed schools, raising questions in areas not heretofore defined in the plan.

OKALAHOMA:—Langston University, Oklahoma's only Negro college, received assurances of its continued operation. Seven more school districts were reported to have desegregated during the past two years bringing to 229 the number integated in this state.

SOUTH CAROLINA — A Cherokee County court acquitted two men accused of the Nov. 17, 1957 dynamiting of the Gaffney residence of a doctor's wife. She wrote an article published in a booklet of "moderate" statements on race relations.

TENNESSEE—The president of Memphis State University said Negro applicants — number undetermined—had passed pre-entrance exams and probably would be enrolled as students for the first time this fall. Also for the first time, segregation-desegreagation issues were major elements in state-wide political campaigns.

TEXAS — Moderates won the Texas Democratic primary, defeating the more ardent candidates on the segregation-desegregation issue all down the line. No new desegregation was planned in the state for the fall, but several districts announced plans for extension of existing programs, including Austin which will integrate its ninth grade.

VIRGINIA — "Massive resistance" versus federal authority is expected to come to a showdown in Virgina with the opening of the fall school term. Possibility of disorders lessened somewhat with Gov. J. Lindsay Almond's view that assignment of a Negro to a white school would be sufficient to prevent the school opening. He said actual presence of the pupil at the school would not be necessary to bring the Virginia school-closing law into operation.

The First Four Years

May 17th will for many a year be an epochal date. It will o down in our histories along with important dates embracg the Magna Charter, the Declaration of Independence, the Dred Scott Decision and the Emancipation Proclamation. This is the date of the handing down by the Supreme Court of the United States of the decision outlawing forced segregation in the public schools. Said case coming up from Clarendon County in South Carolina, was to become the deep concern of all states and counties affected by a decision attacking what is being practiced in their domain.

Daily World P.4

Before this decision was handed down, the Eisenhower administration had already created a climate in its orders for signs, practices and customs stemming from segregation be removed in the District of Columbia.

Jun. 5-18-58

When Chief Justice Warren read the decision, which was unanimous with the court, the broadest sweep in the direction of a basic principle in our Democracy had been administered.

Here once again the administration set an example in what was to come in dealing with something fixed in its interweavings in the fabric of local sanction. A cooling off period was staged, with those affected being allowed to appear as friends of the court and to assist and counsel in ways and means how desegregation was to be processed.

Atlanta Ga.

Hoxie, Arkansas, for instance, set the pace on a small scale—even before it was called upon. Some other points in Arkansas engaged in a trial plan with no noticeable violence until Governor Faubus attempted to enlist the state guards in an effort to forestall the decision of a Federal judge.

It might be well here to state while on Arkansas, the moving of troops to the scene of the Little Rock Central High, posed another warning as to the extent the administration would go in defense of the prestige of the country and its courts.

Here once and for all this gesture showed the futility of the doctrine of interposition by a state to counteract the promulgation of the Federal court.

This fourth anniversary would show that the schools in the southern and border states, 764 school districts, having [illegible] completed the desegregation process.

Desegregation had completed in practice or in policy in all of West Virginia's districts, and about 80 per cent of Kentucky's Negro pupils were desegregated. Some state colleges were desegregated in Louisiana and Virginia.

Legislatures in six states have provided by law to permit [illegible] of public schools if ordered by a court to desegregate. [illegible] closing is mandatory in two of them, South Carolina and Virginia, which would cut off state funds.

It might be noted that in Dallas, Texas, and "All deliberate [illegible]" desegregation order has been issued. Three hundred [illegible] ministers set a pace for the church in that they signed a [illegible] calling enforced segregation morally and spiritually [illegible]

[illegible] William Hastie, a few days ago, pointed the way what the people at large must observe in a c approach at working out together what has been a the people for generations.

The first four years would demand our part in helping in the solution of what is set before the country. Renewed activity concentrated on the ballot would aid in this climate of generating the atmosphere conducive to the growth and spread of this important trend.

Increased activity on the part of the use of the ballot would still be an important factor as a conditioner and a powerful influence as an effective means bearing upon local sentiment.

The first four years would denote progress; progress suggests gains.

ARKANSAS APPLIES BRAKES

Four Years After Court's Edict, South Still Unmixed

By AL KUETTNER

ATLANTA (UP) — Like a man who has covered only the foothills in a climb to the top of Mt. Everest the nation has a long way to go before it will have complied fully with the Supreme Court's May 17, 1954, decision banning racial segregation in public schools.

Daily News P.1
Sat 5-17-58
Jackson Miss.

It is true that 10 of the 17 states that had segregation laws four years ago have made a start toward removing them legally and in practice. But seven Dixie states stand as firmly today as they ever did in determination to keep classroom racial barriers.

Backing up the opposition at home, southern congressmen and senators are keeping up the pressure at the national level in an effort to render ineffective if not to remove altogether federal court powers over local schools.

COURT CURB BILLS

Sen. Herman Talmadge (D-Ga.) has introduced a measure that would prohibit federal courts from assuming jurisdiction in school cases and would require appointees to the Supreme Court to have at least five years of experience on lower federal courts.

The Talmadge bills, bottled up in the Senate Judiciary Committee where they admittedly have little chance to see the light, are expected to be offered as amendments to current Senate legislation aimed at controlling powers of the Supreme Court.

Editor's Note: Four years ago the U. S. Supreme Court handdown its public school integration decision. Here is a report from the South on the situation today.

The race picture in southern schools at summer vacation time, according to figures compiled by Southern Education Reporting Service:

In Southern and border state areas with "integrated situations" there are 377,286 Negro pupils and 1,952,761 white pupils below the college level.

However, only 270 Negroes — in Arkansas, North Carolina and Tennessee— are attending mixed classes outside the so-called border states.

In Arkansas, fears of further trouble of the type that brought the Army to Little Iock last September have put the brakes on integration plans. The city of Pine Bluff postponed for a year its voluntary plan.

LITTLE ROCK APPEAL

The Little Rock School Board, which also had voluntarily adopted an integration program, goes into federal court June 3 to ask that it be postponed until January 1961.

Alabama, Florida, Georgia, Louisiana, Mississippi, South Carolina and Virginia are as firmly segregated as ever on the public school level. In all those states except Florida, laws have been passed to permit assignment of pupils to specific schools or for closing the schools in event of integration threats.

It's inescapable that these past four years have brought a stiffening of resistance in the Deep South. There seems to be no early hope of resolving the impasse between that attitude and the mandate of the Supreme Court.

Some of the states are not kidding about closing their schools should they be ordered to admit Negroes. Virginia is likely to put his extreme measure to a test in September, when the courts have ordered integration to get started n several localities.

SURVEY SHOWS INTEGRATION LAG

NASHVILLE, Tenn., May 11.— Desegregation of the schools, has come to a virtual halt, Southern School News reported last week.

It said that a survey showed figures about the same as those of several months ago. The new survey marks the eve of the anniversary of the Supreme Court decision of May 17, 1954, against public school segregation.

The survey covers the South, the border states and the District of Columbia. It records 764 school districts as having been designated and 2,125 districts as still segregated.

Advocate P.2

Only fifteen of 1,354 districts have begun or completed the desegregation process. These districts are Arkansas, North Carolina and Tennessee. Negroes in actual mixed classes in these districts number about 270.

The periodical said that there had been no announcements of new desegregations in the fall, although some desegregated districts planned expansion of their programs.

Sat. 5-17-58

It reported the following on the four-year period:

Desegregation has been completed in practice or in policy in all of West Virginia's districts.

7 States Still Defy U.S. School Edict After 4 Years

14a(1)

By HARLEY MURRAY

Defender 8-1

WASHINGTON — (INS) — Four years ago — on May 17, 1954 — the Supreme Court handed down its history-making decision striking down segregation of white and Negro students in public schools as unconstitutional.

Sat 5-24-58

In the unanimous opinion, written by Chief Justice Earl Warren, the high court declared:

Chicago Ill.

"We conclude that in the field of public education the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal.

"Therefore, we hold that the plaintiffs (Negro families in four states) and others similarly situated for whom the actions have been brought are, by reason of the segregation complained of, deprived of the equal protection of the laws guaranteed by the 14th Amendment."

At that time, 17 states, plus the District of Columbia, had segregated schools.

Today, four years later, this is the status of those same school systems:

— Seven Southern states are holding firm to their segregated schools, despite multiple legal assaults, and they include two of the districts involved in the original suit. Florida, Georgia, Alabama, Mississippi, Louisiana, South Carolina and Virginia are banded together in "massive resistance" to even token integration.

— There is some integration — limited to from three to nine districts — in Arkansas, North Carolina and Tennessee, including Nashville.

Defender 8-2

— A substantial number of school districts, but less than half the state total, have been desegregated in Texas and Delaware.

— Integration is the rule in a majority of school districts in Kentucky, Maryland, Missouri and Oklahoma.

Sat 5-24-58

— Schools are fully integrated in Washington, D. C.

ENFORCEMENT DECREE

The high court handed down its decree of enforcement a year after the decision which, to many in the South, seemed to smash its very pattern of living.

The order of May 31, 1955 called for desegregation "with all deliberate speed" but left up to individual district courts the handling of integration plans on a local basis.

14a(1)

In most border states the mixing of white and Negro students was accomplished smoothly, although there was some picketing at schools in Baltimore and Washington, and minor flare-ups in other places.

Renew

But in September, 1956, uglier incidents occurred. National Guard units had to be called out in certain areas in Tennessee and Kentucky and there were near-riots in some places.

BLOCKS FAUBUS

In September 1957, Central High school in Little Rock, Ark., admitted nine Negro students. Gov. Orval Faubus called out the National Guard to block them; President Eisenhower countered by ordering regular Army units to Little Rock and federalized the National Guard to protect the Negro students.

Eight of the nine are still attending Central High school; Army troops have been withdrawn, but the National Guard is still on duty.

What will happen next September? Where will the next crisis occur? Many observers, including leaders of the NAACP, believe it will be strictly a legal clash and will be in the vanguard state of "massive resistance" — Virginia.

MORE DECISIONS TO COME

The high court will decide soon whether to let stand a lower federal court order calling for admission of eight specified Negro students to white schools of Arlington, Va. — a suburb of desegregated Washington.

In addition, Prince Edward County, involved in the original historic case, is under court order to begin desegregation. A similar order was handed down for Charlottesville last Monday, and final federal decrees are due soon for Norfolk and Newport News.

PLANS FIGHT

Virginia plans to meet the decrees head-on. State law, designed to block any integration anywhere in the state, provides for closing any school that mixes races.

The Northern Virginia Parent Teachers Association has called on authorities to keep the schools open. Meanwhile, segregationists in Arlington and Prince Edward County are preparing what they term "an effective standby private school organization" to replace public schools.

The pending State vs. Federal showdown may be peaceful, but many Virginians are wondering whether their children will attend classes next fall.

Jackson Miss.

About 80 per cent of Kentucky's Negro pupils were desegregated. On a bi-racial district basis, desegregation has begun or has been completed in 29 per cent of Delaware's districts, 70 per cent of Kentucky's, 91 per cent of Maryland's, 80 per cent of Oklahoma's and 17 per cent of those in Texas.

Seven states, Alabama, Florida, Georgia, Louisiana, Mississippi, South Carolina and Virginia, have maintained segregation at all public school levels. Some state colleges have been desegregated in Louisiana and Virginia.

There were 1,952,761 white pupils in "integrated situations" and 377,286 Negro pupils.

All Enacted Since 1954

196 New Segregation Laws Blanket Deep South

Courier P. 8 Sat. 8-16-58
8

Pittsburgh, Pa.

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chool Desegregation: What Has Happened In Four Years

by Nat Tillman

Defender

Louisville Ky

Four years ago — come Saturday, May 17, — the nited States Supreme Court handed down the most omentous decision of the century when it discarded "Separate but equal" doctrine set in 1896 and declar- enforced racial segregation in public schools uncon- tional.

In 1954, the year of the ruling, there were 17 states the District of Columbia with laws calling for segre- ation. There were 16 states with law against segregation, ur states allowing local option and 11 with no laws con- rning the issue at all.

Strict Segregation

In the four years since the court's edict, all but even states have made some move toward public school esegregation. Five of these states — South Carolina, eorgia, Florida, Alabama, and Mississippi — still main- n complete segregation. Virginia and Louisiana have ntegrated institutions of higher learning.

Thurs 5/15/58

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Problems Arose

And problems there were. Disturbances broke out the Nation's Capital, Baltimore, Milford, Del., and White lphur Springs, W. Va. However, these outbreaks oc- red in the "border" states and were soon ironed out.

In September, 1956, real opposition cropped up as segregaitonists in the Deep South became more and organized. Chief among the desegregation oppon- were the White Citizens Councils, groups of whites supposedly decried violence and urged the maintain- of segregation through delaying tactics in the courts. However, in the September of 1956, lawful means not the only ways through which segregationists t to keep Negro students out of formerly all-white ls. Mobs turned up such places as Sturgis, Clay, and erson, Ky.; Clinton, Tenn., and Mansfield, Texas.

Governors Move Quickly

The governors of these states — Governor Chandler entucky and Governor Clement of Tennessee, in cular — moved quickly to protect the citizens. At the orders of Governor "Happy" Chandler the cky National Guard with fixed bayonet escorted egro pupils through a threatening mob of 800 per- a Sturgis school.

As a mob formed and became more excited through the urging of racist John Kasper, the Tennessee National Guard moved into Clinton with tanks to prevent violence.

Meanwhile, in such places as Louisville, Ky., and St. Louis, Mo., desegregation proceeded with a minuim of incidents. So well did the process go in Louisville that other communities sought to use the city as a model and the school superintendent, Omer Carmichael, was sought all over the nation for advice and explanations.

Little Rock Showdown

In September, 1957, the showdown came. Events occured in Little Rock, Arkansas, that became THE national and international story of the year.

Governor Orval Faubus — under the pretext of preventing violence — called out the National Guard and stationed them around Central High School in Little Rock to keep Negro students from entering the school even though the Federal District Court had ordered their admission.

When a seemingly impasse existed after he had conferred with the Governor, President Eisenhower made history by sending paratroops from the 101st Airborne to the scene and federalizing the Arkansas National Guard.

In Desegregation's Favor

John Kasper, rabberouser extraordinary, showed up in Nashville, Tenn., just as that city was preparing to begin gradual compliance with the desegregation ruling. When Kasper appeared with his advocating of the use of the "gun and rope", a school was dynamited which resulted in a quick crackdown on the extremist by authorities.

John Kasper — along with others — was convicted by a southern jury of interfering with a federal court order in a historic trial coming out of the Clinton disorders and was sentenced to the Federal Prison.

Three school districts in North Carolina — Charlotte, Greensboro, and Winston-Salem — voluntarily began desegregation public schools with little disturbance except that created by jeering white students.

Brightest Picture

Desegregation's brightest picture is reflected in the "border" states. According to the Southern School News, desegregation has been accomplished in all of West Virginia's biracial school districts, 91 per cent of Maryland's, 80 per cent of Oklahoma's, 70 per cent of Kentucky's, 29 per cent of Delaware's and 17 per cent of Texas'.

The most dismal showing of compliance with the "law of the land" is seen in the "Deep South." These states have made no move to work out desegregation problems. A program of outright defiance of the courts is followed by each of these seven states.

Showdown Coming

Of these states, Virginia is the closest to a showdown.

After a long battle, Arlington has been ordered to admit Negroes to all-white schools. Newport News, Charlottesville, Norfolk and Prince Edward County have also been ordered to desegregate.

Under a state law, if these school districts permit mixed schools, the governor has the right to withhold all state funds and to close the schools.

Just what will happen is unknown but a precedent has been set in Little Rock and for the Federal Court decrees in Virginia to be defied would be a repudiation of that precedent.

14d(1) 1958 GENERAL SUPREME COURT DECISION MAY 17, 1954
FOUR YEARS LATER - PROGRESS, ETC.

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Defender

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Defender 5-15-58

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Schools make or break South, says Sparks

News B'ham, Ala. p 3

Tues. 5-20-58

The South will advance or be retarded by what is done with formal education throughout the region.

SPARKS

Frank H. Sparks, president of the Council for Financial Aid to Education, New York City, said this at the Southern Research Institute Conference here today.

One of the things to be considered, he said, is whether or not centrally planned and directed education is in the best interests of the South.

"Management and financing go together," Sparks said. "No central government will long continue to supply an important portion of the operating expenses of a school system without looking into what is being done with the money."

One great advantage of the complex system of education of the United States is local freedom of decision and action, he said.

COLLEGE ENROLLMENT doubled in the 15 years before 1958, he said, and this rapid growth almost certainly will continue. Cost of educating these college students will be between $10-$12 billion a year by 1970.

Sparks said he advocated "diversity of support" for colleges: taxes, tuitions and fees, scholarships and loans, income from endowments and gifts.

He said the proportion of gifts to higher education by business corporations will almost certainly increase.

"IF SUPPORT is not provided voluntarily by business it surely will be provided involuntarily by taxes," Sparks said.

Too many companies have not accepted voluntary support as company policy, he said. Some have accepted the philosophy but have not established a sufficinetly high level of giving.

It is a disgrace, he added, that fewer than one out of four alumni are giving to higher education.

14d(1) 1958

GENERAL

SUPREME COURT DECISION MAY 17, 1954
FOUR YEARS LATER - PROGRESS, ETC.

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Segregationists Firm As Anniversary Nears

Star, P. B-2 Mon. 5-12-58.

By MARY LOU WERNER
Star Staff Writer

The fourth anniversary of the Supreme Court decision arrives this week, with Virginia and six sister States in the deep South still holding the line against integration.

As Dixie's northernmost segregation frontier surrounded by States that have yielded to the Supreme Court's edict with varying degrees, Virginia looks back at a wearying legal battle that successfully has staved of any racial mixing to date.

And when the last appeal is exhausted, the Old Dominion is ready to shut down any schools where integration occurs.

The States that have rallied behind Virginia's "massive resistance" leadership since the May 17, 1954 ruling of the Supreme Court are Alabama Georgia, Louisiana, Mississippi, South Carolina and Florida.

Their anti-integration programs vary. Only Virginia and South Carolina have gone so far as to provide for the mandatory closing of schools whenever races are mixed. But all seven are still maintaining totally segregated public school

Washington D.C.

Ten States and the District of Columbia, which formerly practiced segregation, have started desegregation — some more than others. These States are North Carolina, where 11 Negro students voluntarily were admitted to white schools in three cities last fall; Arkansas, where integration at Little Rock erupted into a national incident; Tennessee, where one school was bombed; Maryland, Delaware, West Virginia, Kentucky, Missouri, Oklahoma and Texas.

Law Suits in Progress

In every segregation State except Mississippi, litigation to knock down racial bars is working its way through court. By far, the largest crop pends in Virginia.

Senator Byrd, Democrat of Virginia, who is regarded as the architect of "massive resistance," and Gov. Almond consider the legal emphasis on Virginia a deliberate scheme to bring their State to her knees first.

According to spokesmen for the National Association for the Advancement of Colored People who have led the legal battle for integration, this is not the case. They claim Virginia, as a border State, is ready to begin desegregation and are persisting in their efforts to see that it is achieved.

To date, NAACP counsel have won every major legal encounter against Virginia's segregation specialists.

Federal Courts have directed five Virginia communities to begin desegregation. These are Arlington, Charlottesville, Norfolk, Newport News, and Prince Edward.

All five desegregation edicts have worked their way up to the Supreme Court, where they were left intact.

A desegregation edict means that the school board involved shall not turn anyone away from school because of race. It establishes the right of Negros to enter white schools without regard to race. But it does not specifically direct their admission.

In court, the State feinted compliance with the Supreme Court decree by pointing to the pupil placement law which was adopted as a first line of defense against integration. This law adopted by Virginia in 1956 gave to a three-member State placement board the job of assigning all students to schools. It contained no mention of race, therefore the State contended it was a valid answer to the Supreme Court desegregation decree.

Federal Courts, however, refused to accept the placement law as a proper program of desegregation, pointing to the complex appeal procedure set forth in the law and to companion laws that provide for automatic closing of integrated schools and the withholding of State school funds from localities that try to operate mixed classes.

Issue Brought to Head

It was not until seven Negro students showed up at four white Arlington schools last fall that the State actually was confronted with the imminent prospect of integration.

They were the first to seek specific enforcement of a desegregation order by applying for admission at white schools.

In obedience to State laws, county school officials turned them away, explaining that they had not been assigned to those schools.

But Judge Albert V. Bryan directed the county to admit Negroes to the schools of their choice. His order, he said, was in compliance with his earlier desegregation edict issued against the county. It was the first actual integration order issued in the State. It has been suspended, however, pending oucome of an appeal now pending before the Supreme Court.

At present, the Arlington case has drawn the State closest to integration. If the Supreme Court refuses a review — and this has been the trend in such cases since the 1954 decree—Arlington County will be confronted with a direct Federal Court order to integrate on one hand, and the State's anti-integration laws on the other.

Ordered to Make Plans

There are impending legal developments elsewhere, however, that portend other trouble spots when the next session of school rolls around.

Today, NAACP counsel will go before Federal Judge John Paul to ask for an early integration date in Charlottesville. When Judge Paul suspended his original desegregation order against Charlottesville to await outcome of a legal test on the placement law, he sternly warned the city to start making plans. If the city has any plans apart from the State "massive resistance" laws, there has been no public discussion of them.

Another hearing is scheduled today in the Norfolk and Newport News cases before Judge Walter Hoffman for an updating of the desegregation decrees against those cities.

Next month, Judge Sterling Hutcheson will be asked to set a desegregation deadline for southside Prince Edward County.

Private Schools Planned

Apparently convinced that the time is fast approaching when the State will be left without any new legal maneuvers, determined segregationists in several parts of the State—including Arlington and Prince Edward—have set about forming organizations to finance and operate private schools. They propose to finance them with their own money, plus tuition grants that State law provides for the education of children wherever schools are closed or wherever they would have to attend integrated public schools.

It is still debatable exactly when the State will be confronted with an unappealable order to let Negroes in white schools. Next fall seems to be the favored guess among those who have followed the long legal battle, although the State may come up with some new court maneuvers. The new placement law adopted at the 1958 General Assembly session is yet to be tested—it does not take effect until the end of next month.

But whenever an unappealable integration order does arrive, the legal battle will be far from over. For that is when the school-closing and fund-cutoff laws take effect, and they are yet to be tested in court.

Daily News

P. 9

March 15-58

Jackson Miss.

Dixie Resistance To Black Monday Edict Now Stronger

By HOWARD SUTTLE

WASHINGTON (Special)—Four years ago, come Saturday, the U.S. Supreme Court handed down the Black Monday decision, ordering racial mixology in all public schools of the nation.

Today, there are a few "desegregation" spots in Texas, Arkansas, Tennessee and North Carolina.

But in the six states of the Deep South — South Carolina, Georgia, Florida, Alabama, Mississippi and Louisiana — and in Virginia, which has given the nation more presidents than any other state, resistance to the Black Monday edict seems now stronger and more determined than before the high tribunal did its meddling in public school affairs.

The fourth anniversary of Black Monday will, of course, be the subject of much oratory during the next few days. Already columnists, commentators and other news dispensers are airing the fact that the "citadal of segregation" remains unbreached, four years after the black-robed justices substituted the philosophies of sociologists, psychologists and anthropologists for the constitution and precedent.

COLMER LEADS HOUSE

This report primarily with the friendship and close association of two veteran congressmen—William M. Colmer (D-Miss.) and Howard W. Smith (D-Va.) — and the manner in which their devotion to the constitution and their strategy as respected House leaders has contributed to refusal by the South to accept the Black Monday decision as the "law of the land."

The friendship and team work of the Colmer - Smith leadership was well demonstrated at a Jefferson-Jackson dinner in nearby Fredericksburg, Va., the past week-end. The dinner, held appropriately at George Washington Inn, climaxed an all-day convention of Democrats of Virginia's Eighth Congressional District, which nominated Smith for a 15th two-year term in Congress.

Colmer was principal speaker at the dinner, staged to raise funds for the fall election campaigns of the Old Dominion's Democratic congressional candidates.

URGE DIXIE UNITY

The toastmaster was Virginia's portly former Governor John S Battle, now a member of the socalled Civil Rights Commission by appointment of the president.

Smith introduced Colmer to a cheering audience of Virginia Democrats. He referred to the Mississippian's "outstanding ability and great leadership" as head of the unofficial House Committee of Southern Congressmen, organized in 1945 to work for Constitutional government.

Colmer's address was not, by any means, pleasing to the leftist leaders who today control the national Democratic party. But his call for the South to organize and unify into a "militant, aggressive and crusading minority group" was obviously gratifying to the Old Dominion audience, which overflowed the hotel's convention hall. Some were forced to listen to Colmer's address through loud speakers outside the hall.

The "Jeffersonian philosophy" of the Mississippian, his blasts at "false liberalism" of today's left-wing party leaders and his barbs at the Supreme Court's "doctrine of presumption" brought shouts of approval from inside and outside the hall. He told his listeners that "the NAACP, the ADA and other misnamed liberal minority groups are more powerful in the councils of our party than the socalled solid South." He declared "organized unity" and assertion of aggressive independence by the southern states is necessary, "if the once-strong voice of the South is to again be heard in the smoke-filled rooms of our party's conventions, and in the legislative arena."

BATTLE APPROVES PLAN

Reviewing briefly the South's loyalty to the Democratic party "in both the lean as well as the prosperous years," the Mississippian cited despite the fact that the South has often kept the party alive, "we are now just taken for granted."

Following a standing ovation at the conclusion of Colmer's address, Battle told the Mississippian that "when the South shall unite as you and Howard Smith have united our southern members in Congress, the future, I feel, will be much brighter." Battle characterized the Colmer speech as a "magnificant presentation of a cause which is dear to the hearts of all of us."

Referring to his membership on the Civil Rights Commission, Battle said:

"I am here simply for the purpose of doing the best I can to serve the southern cause.

"I am here at the direct request and solicitation of many members of Congress who fought the socalled civil rights bill so hard," Battle added. "Like Howard Smith and Bill Colmer in Congress, I may often be outvoted but we'll go down fighting for what we believe to be right."

This is not to accord to Colmer and Smith any more credit than numerous other Dixie leaders for southern defiance of the Supreme Court's effort to usurp the prorogatives of Congress to legislate and the right of the people to amend the constitution.

In the Senate, such men as Senators Richard B. Russell (D-Ga.), James O. Eastland (D-Miss.) and John C. Stennis (D-Miss.) rallied colleagues from both inside and outside Dixie in a move to tell the South's story to the entire nation.

Able assists came from state governors, prominently among them Georgia's Marvin Griffin, South Carolina's George B. Timmerman and Mississippi's J. P. Coleman, who declined even to discuss with racial mixologists any kind of a "desegregation" plan.

Because certain leaders in Arkansas accepted a socalled "long term" plan of "gradual desegregation," the military "invasion" of Little Rock and the bayoneting of citizens by federal troops resulted. But the Little Rock "invasion" is believed by many to have been a "blessing in disguise," in that it awakened thinking citizens outside the South that if federal troops could be sent into Arkansas to enforce integration without a request from the governor or other authorities and in violation of state sovereignty, troops might well be dispatched to states of other sections under some other pretext.

Among the most effective strategy operations in the resistance movement was the so-called "Southern Manifesto," which Colmer and Smith spearheaded in the House. The Mississippian and the Virginian teamed up to obtain more than 100 signatures to the "manifesto," which called attention to the manner in which proposals in the socalled civil rights bill violated the constitution, and left no doubt that the South would resist.

A second "manifesto" further strengthened the morale of southern leaders in the continuing battle to preserve the sovereignty of the states.

Saturday Evening Post
Sept 6 58
p 10
Gen 14d

Segregation by Sex Might Ease Fears of Racial Intermarriage

An obstacle to school integration in the South is local resistance to mingling white and Negro youngsters of both sexes in institutions that are social as well as educational—as co-educational public schools are.

Many Southerners consider this the basic stumbling block. However one judges that, the issue bulks large in the Southern mind. To remove it might help clear the air and enable all parties, North as well as South, to make more sense on the subject.

Here and there Southerners trying to observe the Supreme Court's "all deliberate speed," are experimenting with various methods of integration—for instance, starting it in the first grade instead of high school, the most sensitive area. So far, this range of integration experiments is missing one trick that could eliminate much of the sex angle from a situation already difficult enough.

Integrate the races, but segregate the sexes! Put all the boys, both white and Negro, in one set of schools; put all the girls, both white and Negro, in another set.

The scheme is not original. The late Senator Hiram Bingham, of Connecticut, suggested it a good while ago. Every year or so somebody else dreams it up and mentions it publicly. Tennessee has passed a law permitting school-boards to integrate in this fashion. Macon, Georgia, revised a school building program with this in mind. But at the opening of schools last September no place had actually tried it. Perhaps they fear that the Supreme Court might discover sociological support for the idea that boys separated from girls, and *vice versa*, develop inferiority complexes of serious dimensions.

However, separate educational institutions for boys and girls are a long-standing American tradition still persisting in most private and parochial schools and in a few public high schools. Australia, committed to this system, considers th[illegible] much [illegible] down [illegible] quen[illegible] an[illegible] premature roma[illegible]

The success of the armed [illegible] in mingling Southern whites and Negroes indicates that somewhat younger Southern white boys and Negro boys could somehow make out in the same schools. The arrangement satisfies the Supreme Court's requirements by giving youngsters equal access to the same tax-supported facilities, teachers, courses, and so on, regardless of race. It answers the formula of Mr. Thurgood Marshall, chief counsel of the National Association for the Advancement of Colored People, that the Negro can go along with any criteria for grouping youngsters for education—I.Q., aptitude, achievement, health, cleanliness—except one, race.

True, a two-ply school system costs more than a single-ply one. But this consideration never moved the South to revise the two-ply white-Negro system permitted, up to 1954, by the Supreme Court's (1896) doctrine of "separate but equal." If segregation-by-sex proved to be the answer, the South's education dollar would at least be buying her conformity with what now stands as the law.

14d(1) 1958

GENERAL

MR. ARTHUR S. FLEMMING, SECRETARY
HEALTH, EDUCATION AND WELFARE

Flemming Asks School Reopenings

Atlanta

WASHINGTON (AP)—A call for reopening the 13 Southern schools which were shut down to keep out Negroes was issued Monday by Arthur S. Flemming, secretary of health, education and welfare.

He figured that 16,400 children are missing their customary classes in Little Rock, Ark., and Norfolk, Charlottesville and Warren County, Va., and said:

Daily World

"The thing to do now is to point up the seriousness of the situation so that citizens of the local communities will take action to restore the opportunities within the decisions of the courts.

"The closing of the schools is indefensible and they should be reopened. It is indefensible from the standpoint of what is being done to children in these communities."

Tues., 12-2-58

Flemming, a professional educator from Ohio, spoke out at a news conference after groups interested in primary and secondary education urged that his department make a study of the impact of the school closings.

He noted that of the 16,400 pupils, some educational provision has been made for all but about 3,400.

P 2

He also said it seems apparent that private schools such as those set up in Little Rock would not likely be able to qualify for federal loans under the new Aid to Education Act.

The schools were closed under state laws enacted to resist the Supreme Court decisions upsetting the traditional Southern pattern of separate education for whites and Negroes. The closings have been endorsed by a majority of voters in Little Rock and Norfolk.

Associated Press Wirepho

ASKS CITIZENS ACT

Secretary Flemming

14d(1) 1958 GENERAL

New Orleans decided on Dec. 21 to abide by the U.S. Supreme Court ruling that opened ~~its~~ all public parks & their facilities to Negroes. Mont. Adv. 12-22-58

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410 Atlanta area ~~d[illegible]~~ ~~a [illegible]~~ issues a declaration ~~fed the~~ urging "whatever legal steps are necessary to prevent the closing of our public schools." Ata Const. Dec 21

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73 faculty members Agnes Scott College followed Emory faculty Ata Const. Dec 21

Keep Them Open, Battle Cry In Save-Our-Schools Fight

Segregation Statutes Dead, Let's Face It, Rep. Smith Says

By GENE BRITTON

Atlanta Constitution

A Fulton County legislator is urging outright repeal of all Georgia segregation laws which call for setting up private schools.

14d(1)

Veering sharply from the traditional hold-the-line-at-all-costs theme of Georgia politics, Rep. M. M. (Muggsy) Smith said the segregation battle already has been lost.

Atlanta, Ga.

"It's now simply a question of whether or not we want public schools," he said. Rep. Smith, who said he is as "strongly for segregation as anyone," said he wants schools to stay open for all children, and will fight to keep them open.

Sun. 11-16-58

He said he would be "willing" to introduce legislation at the next session of the General Assembly, in January, to repeal the state's segregation laws.

"All our old segregation statutes are dead anyway," he added.

P. 1

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DEKALB COUNTY colleague, Rep. James Mackay, agreed in principal with the proposal, although he did not use the word "repeal." Until something better than public education is available, he said, it would be inadvisable to close the schools. Under the present segregation laws there is no alternative to closing them, he said.

Rep. Smith pointed out that Georgia's Sen. Talmadge said last week this is the last "year of grace" for Georgia in the integration crisis and that Georgia schools will be closed by next September.

"I don't think it will be that long," Rep. Smith said. "Unless we do something to keep them open, our schools will be closed by the end of the year."

* * *

THE FULTON lawmaker emphasized that Atlanta schools are not the only ones to be affected. He said he believes that if schools in one county are closed, all schools throughout the state will be locked up.

An attempt to close Atlanta schools and leave all others in the state open would completely upset the state tax structure since Atlantians could not be expected to pay taxes for schools they did not have.

Mr. Smith, who earlier had said a plan for the sale of Atlanta's public school buildings "makes more sense" than any plan advanced so far, said he has given more careful study to the idea and that it will not work.

* * *

THE PLAN, drafted by attorney Moreton Rolleston Jr., called for the sale of schools to private corporations, with state income tax deductions for assistance to parents in sending children to private schools. Attorney Rolleston said it would probably cost parents about $500 a year for each child attending the private schools.

"It is impractical and unworkable," Rep. Smith said.

He said it would be impossible to sell the school buildings at a low, token price. Bids would have to be open to everybody and the highest bidder, regardless of who he was or what use he wanted to make of the building, would be the buyer of the property, Smith added.

He pointed out that if the state laws are repealed the question of whether or not schools stay open may be left up to the individual counties to decide by referendum.

* * *

THE REPEAL move will gain momentum since "all counties—not just Fulton—are involved," he predicted.

Mr. Smith's Fulton colleague, Rep. Wilson Brooks, said he had no comment on the repeal proposal.

Rep. Brooks did say, however, that he is not "in a position to support any legislation designed to close the public schools." He added that any report that he ever supported the Rolleston plan was "completely erroneous."

Another colleague, Rep. Ralph McClelland, was not available for comment, and State Sen. Charlie Brown of Atlanta said he would prefer not to comment on the proposal.

Constitution

HOWEVER, Sen. Brown did make this statement:

"It is my desire that every child of school age be afforded the opportunity of education and I believe it is the responsibility of our government to see that it is carried out.

"Further, I believe that the leaders of our community are desirous of carrying out this purpose but that there are those who would welcome any discontent, strife and tension caused in this field of endeavor. It is definitely time for all our people in this area and community to work together in honest and sincere efforts to solve this problem which has caused so much unrest throughout other parts of the United States.

Sun. 11-16-58

"I am definitely not going to make a statement at this time as to my opinion concerning any pending proposal as to a future course or policy on this grave matter and I want to weigh carefully and consider every proposal to see if our public school system can be continued in operation without jeopardy to anyone. My only interest is for what is best for the children of this area and the state of Georgia and I will work to the end that all of our children receive an education and not just a privileged few."

* * *

MEMBERS OF the DeKalb County delegation, which also represents parents of more than 7,000 pupils who live inside the city of Atlanta and attend Atlanta schools, also expressed concern over the future of public education.

Rep. Mackay said until there is a "reasonable and feasible plan for providing education by some means other than through the public schools" he would be opposed to shutting them down.

The governor and General Assembly would have no alternative to closing them if integration is ordered under the present state law, he pointed out.

Rep. W. H. McWhorter also said he would like to keep public education but said he would "leave it up more or less to the governor if he wants them (the segregation laws) repealed."

He said he would like to know what the governor's wishes are before expressing himself further.

* * *

THE THIRD member of the DeKalb delegation, Rep. Guy W. Rutland, was out of town and could not be reached for comment.

Meanwhile, the actual question of what will happen to Atlanta's schools was far from being answered.

Most education leaders here would not venture any prediction in face of a pending suit against the city Board of Education and City School Superintendent Ira Jarrell. The civil action, now awaiting a promised early trial in Federal District Court, is aimed at integration of Atlanta's public schools.

* * *

MISS JARRELL and Board President A. C. (Pete) Latimer both said they could not comment on anything touching the issue on advice of counsel.

They are being represented by associate city attorney Newell Edenfield, who indicated in a talk before the League of Women Voters last week that the state would continue the segregation battle on the basis of existing state laws.

Those laws, he said, forbid the appropriation of funds for integrated schools, authorize the governor to close public schools and provide for the granting of funds to pupils for private school education.

A reporter tried to contact Mr. Edenfield to ask him how those statutes can be effective in the face of a September ruling by the U.S. Supreme Court which said in essence that "evasive schemes for segregation" are illegal.

* * *

THE ATTORNEY could not be reached.

City Atty. Jack J. C. Savage, however, commented that the September ruling was a "general statement' without specific application to any particular school system.

"The Supreme Court hasn't said that a law like Georgia's is invalid, where the state makes grants to parents for sending their children to private schools," Mr. Savage said. "The court only said that grants could not be made directly to the schools."

Asked if he thought Georgia's present laws on the subject would stand up as a sure defense against integration, Mr. Savage commented:

* * *

"NO ONE on God's green earth can predict what the federal courts on the higher level will do or what they will not do."

He said he feels certain only that the schools will be closed if Georgia gets an order to integrate.

Mayor Hartsfield said the city's attorneys have done their best, but that "the time has come for something other than denunciations."

He pledged the city government's support to the Fulton legislative delegation "to keep Atlanta schools from total destruction." The mayor, too, called for a referendum to let the people choose for themselves whether to keep public schools open or to give them up for the sake of segregation."

Bill for Sale Of Schools Is Planned

14d(1)

Ga

By CHARLES MOORE

Constitution

Atlanta, Ga

The Fulton County legislative delegations Wednesday asked an Atlanta attorney to draft a bill covering his proposal that local schools be sold to private non-profit corporations if the schools are ordered to integrate.

Attorney Moreton Rolleston Jr. called for:

Thurs 11-13-58

Sale of each school, subject to any outstanding school debt, to a non-profit corporation of parents and teachers organized to operate the school.

Legislators indicate home rule bill is dead. Story on Page 16.

P. 1

REPEAL OF TAXES

Repeal of all city ad valorem taxes for the operation of public schools.

Parents given credit on their state income tax for the money they spend sending their children to private schools.

"This is the first proposal anyone has made that makes any sense," comented Rep. M. M. (Muggsy) Smith. He and Sen. Charlie Brown, Rep. Ralph McClelland and Rep. Wilson Brooks asked Rolleston to draw up a bill covering his program.

WITHIN A YEAR

Rolleston said he was in favor of segregated schools but predicted that local schools would be ordered to integrate within a year. He pointed out the schools would be closed by state law when that happens.

He estimated it would cost parents about $500 a year to educate each of their children in a private school. Rep. Brooks noted many Atlanta parents would be unable to afford to send their children to private schools under such a program.

"I realize that," Rolleston answered, "but it would be better if half the children of Atlanta received an education than if none did."

'ATLANTA MAYOR CAN'T THROW TOWEL IN FOR ANYONE'

Griffin Says Georgians Firm On Segregation

Montgomery Advertiser

ATLANTA (AP) — Gov. Marvin Griffin insisted Saturday that Georgians are more resolute than ever on the segregation question and said "the mayor of Atlanta cannot throw in the towel for me or any other Georgians."

Montgomery

His statement at a special news conference was prompted by Mayor Willam B. Hartsfield's proposal Friday that Atlanta voters be allowed to decide whether to close schools rather than integrate them.

Jan 1-16-58

Earlier, Lt. Gov. Ernest Vandiver who will succeed Griffin as governor next year, without mentioning Hartsfield's proposal directly, said he has been conferring with attorneys and will have recommendations of his own to make to the 1959 legislature.

In a prepared statement to the news conference, Griffin declared, "I firmly believe that the people of Georgia are more resolute today than ever before to protect sovereignty of this state.

"I am convinced that an attempt to integrate any school in any county of Georgia will be met with unprrcedented resistance.

"On the whole subject of school integration, the people of Georgia have already spoken at the ballot box in approving a constitutional amendment preserving segregated schools.

"The mayor of Atlanta cannot throw in the towel for me or any other Georgian."

The constitutional amendment Griffin referred to was the so called private school plan. In reply to a question, he said private schools could be operated as a last resort.

"If the people remain resolute, we can win this fight," the governor declared. "Something must be done to preserve constitutional government in this country and Georgia and some other Southern states are the last bulwark."

Griffin also said he would be glad to sit down and discuss the situation with any Georgian interested in preserving segregation, but "that doesn't include Mayor Hartsfield if he wants to throw in the towel."

Hartsfield also had more to sav on the subject. "The time has come," the mayor said, "for school officials, patrons and parents to speak up and take charge."

He added the hope that "people will not think I am preaching integration or praising the supreme court."

But he said, "the state ought to be willing to let each system make its own decision. Atlanta is merely the front line of a legal fight which must eventually affect the whole state.

"In some counties, Negroes outnumber whites, a situation which would make integration obviously impossible. In other counties in North Georgia there are so few Negroes that there would be no problem."

Pulse of the Public

Constitution p 4

1-27-58

Atlantan Says Integrate Georgia Schools; Repeal the Compulsory Attendance Laws

Atlanta—On the subject of integrating the schools or segregating them, I have a suggestion: Integrate the schools and repeal the laws making school attendance compulsory.

Then the ones who wish to maintain the public school system at all costs will be able to educate their children while those who prefer scuttling the school system rather than integrate will not have to conform to a situation they abhor. The result will be exactly the same in either case for the ones who prefer no schools to integration, while those of us who prefer integration to no schools will not be deprived of our educational system.

The only thing wrong with this suggestion is that I do not believe many parents are willing to have the schools closed; I believe if such action were to be taken, it would be because politicians have committed themselves to a course of action and will be willing to wreck the schools rather than retreat from the "fight to the end" position they have taken.

MRS. MARIE H. MEARS.

* * *

Atlanta

Why Do Negroes Want To Integrate?

Atlanta — Where is the Negro pride of race? When they attempt to move into all-white neighborhoods and attend all-white schools, are they not saying in effect, "Colored people are not good enough for my family"?

If they do not believe in the superiority of the white race, why are they so anxious to integrate?

MRS. R. L. GORDON.

* * *

Kennesawan Lauds Hartsfield's Stand

Kennesaw—Although I do not live in Atlanta, I feel the integration problem will come to our small town sooner or later. I agree with Mayor Hartsfield about the school problem.

Too many of our lawmakers are men who could well afford to send their children to private schools. Some say it could cost $250 to $500 per child per year in a private school.

What about the families, like our family, that could not possibly afford to send children to a private school?

It is time Gov. Griffin and our lawmakers put the education of our children before states' rights and looked at this school problem from the poor man's point of view.

I want my children to have an education regardless of state sovereignty.

CONCERNED.

* * *

'Politicians Using School as Football'

Covington—I think the majority of citizens will agree with your editorial that closing our schools is not the solution to the present public school crisis, which to a great extent has been brought about by our political leaders using race tension as a means to get elected to office. Now they are using our schools as a football in the game of politics.

A democratic plan was offered our leaders when the Supreme Court first ruled out forced segregation in our public schools that would have fulfilled the requirements of the Supreme Court ruling. The control of the public schools would have been put under each local school district where the problem has to be solved eventually anyway.

The present school system would function as is with only the provision for integrated schools on a voluntary basis by the citizens who choose to use it.

The Negro race should be encouraged to preserve its racial heritage and traditions by voluntary segregation, the same as the white race.

J. NEELY.

* * *

Legislators Asked About School Sale

Sandy Springs — I would like to ask our Georgia legislators a question:

When the building of a new school is proposed, our votes are required because the matter of bonds is involved, and an increase in millage ensues.

And yet, why is it that one man or one small group has the power to lock the doors of and literally tear down these same buildings that we have in good faith been instrumental in constructing?

What has happened to our all-important votes now?

E. C. MACDOWALL.

* * *

Atlantan Points Out Nature Acts Slowly

Atlanta—The education of the nation's children should be the permanent objective, not to be jeopardized by things that are not fundamental.

The racial problem is worldwide and not many nations are free from complications. Racial differences are the source of most wars in history.

Science argues that the element of time will eventually produce the answer, but will human patience wait?

It would be well for all to remember that nature moves slowly in making changes in its fundamental channels.

C. EMMONS.

* * *

'Northerners, too, Have Problems!'

Atlanta—Looking at the cartoon on the editorial page of the teacher calling "Chloee" made my heart ache for the South, even though I am from the North. What has been ingrained in people is a difficult thing to overcome.

I can plainly remember 60 years ago how we in the North looked down on the foreigners. We figured they were here trying to take over our preserves.

Today we have changed our attitude completely toward them in the North.

I say we have a lot of nerve trying to lead the rest of the world when we cannot meet and settle our problems here on common ground.

M. M. B.

* * *

Atlantan Tells Tale Of Pee Wee Willie

Atlanta — A recent edition of The Constitution reminded me of an old story about a character who, for lack of a better name, we shall call Pee Wee Willie. As the name implies, Pee Wee Willie was not only short of stature, but also a little short in the brain department.

Pee Wee was being tried in court for stealing a hog. The trial ended and the jury's verdict was "not guilty." The defendant's attorney turned to him and said, "Pee Wee, you've been exonerated."

Pee Wee looked quite glum and replied, "Gee, boss, does that that mean I have to go to jail?"

"No, you don't understand, Pee Wee," explained the barrister. "You're acquitted."

14d(1) 1958 GEORGIA

FURNITURE IS REMOVED FROM TERRELL SCHOOLS, NEGRO PARENTS REVEAL

State Withholds Funds From Dawson Officials

14d(1) Ga.

DAWSON, Ga.—Negro schools in Terrell County, where a recent furore was caused by a Washington, D. C. newspaper report that minority residents live in an "atmosphere of fear" have been stripped of furnishings which were then used to equip white public schools.

In retaliation, the Georgia State School Building Authority is reportedly withholding $32,316.78 of unspent funds until the equipment is returned. The money withheld amounts to $17,762.15 in a contingency fund and $13,554.63 which is unappropriated for equipment.

News of the Negro schools being deprived of furnishings came to light when Negro citizens wrote a letter thanking the county board for "providing facilities for the education of all children of the community, but inquired:

14d(1)

PART OF LETTER

"We would, however, like to ask when will the other equipment removed from some of the Negro schools be put back so that our children may get the full benefit of its use for their training."

The furniture included refrigerators in the cafeterias, furnishings in the teachers' lounges, desks in some offices and some desks in classrooms at Lillie Cooper Elementary School and Terrell Negro High School.

It is being used in white schools and in the office of County School Superintendent Frank Christie. The school chief had pledged twide in writing that the equipment would be returned to the Negro schools, but finally said he did not intend to return it.

Wed 6-25-58

NOT RESTORED

Repeated correspondence and conferences between the authority and county officials have failed to restore the equipment to the proper schools.

Records show that as early as last September— one month after the new furnishings were bought— the State School Building Authority began cautioning the county board it was under contract not to remove the equipment.

Christie, at that time attempted to buy 160 school chairs for an already furnished Negro school. When told he had the equipment, the superintendent is said to have replied, he "rechecked and found I do not need the 160 chairs requisitioned."

The Terrell school chief later was asked by Authority secretary John Sims "to give us your assurance that all the furniture purchased for improvement No. 91-7 (Lillie Cooper Elementary School) has been restored to its proper place."

ALL RETURNED

The reply reportedly came in a one sentence letter which read: "All of the furniture removed from 91-7 has been returned." All was underscored six times.

Two months later, Sims again wrote Christie:

"I am in receipt of advice that there are no refrigerators in the cafeteria, there is no furniture in the teachers' lounge, that the offices are not in all cases furnished with desks and that certain student desks have been removed to other schools."

The authority secretary insisted that "bonds sold to finance construction of the Negro schools had to be protected and there must be no interference with the lien rights of the purchasers of the bonds."

Minutes of the Authority, dated December 19, 1957, reveal this resolution was passed:

WITHHELD FUNDS

The secretary was advised he should withhold all unappropriated funds of Terrell County until such time as equipment which has been moved from the buildings financed by the Authority has been returned or there has been restitution in cash for the equipment.

Wed. 6-25-58

Terrell County has been the site of several police killings of Negroes. A curfew resulted in several Negroes being jailed there and a Washington Post and Times Herald story charged Dawson and Terrell County Negroes live in an "atmosphere of fear."

Bias Denied in Shift Of School Equipment

14d(1)

DAWSON, Ga., June 25 (AP).—The Terrell County Board of Education denied last night that there was any discrimination in a transfer of furnishings and equipment from Negro to white schools in the county system.

The State School Building Authority is withholding more than $32,000 from the county because equipment has been moved from Negro schools in Dawson, the county seat.

Star 6-25-58

The special session of the board was called after the Macon Telegraph reported that modern furnishings had been moved from new Negro schools to white schools and to the office of County School Supt. Frank Christie.

Washington

Board's Statement

The Terrell board issued a statement saying, "This furniture and equipment was removed from some of the colored schools to other colored schools as well as from white schools to other white schools and also from white schools to colored schools.

W 6-25-58

"No discrimination was made in the transfer of any of this equipment as between the colored schools and the white schools. The sole and only consideration in transferring any of the equipment and furniture from one school to another was solely on account of the usage and needs of the same for the particular school."

The equipment involved includes refrigerators, furnishings from teachers lounges, some office desks and some student desks.

School Building Authority records show that Supt. Christie promised last September to put the equipment back in place. And in November, he wrote that it had been put back.

But John E. Sims, authority director, reported after a telephone conversation with Supt. Christie May 30, that the superintendent told him the equipment had not been put back, that his board told him not to put it back and that he had to do what he was told.

Agency's Functions

The Echo olBuilding Authority finances construction for local school districts through revenue bonds. Buildings are leased to the systems, but the authority retains title which is pledged to repayment of the bonds.

The State Education Department makes grants to local systems for the rentals—actually payments on the bonds—and buildings become property of the local systems when the bonds are retired.

Mr. Sims said removal of equipment from the Terrell County Negro schools violated the county board's contract with the authority, which under the bond indentures is responsible for preservation and maintenance of the equipment.

Removal of the equipment was discovered last September, shortly after it was purchased. R. S. Williams, education department area supervisor, reported to his superior that furniture had been moved from a Negro school and that Supt. Christie had told him it was moved to a white school and to his office.

The county board claimed there were too many Negro students in one school and few in another, causing some equipment to be idle.

No School Mixing, Vandiver Pledges

20-Point Platform Strikes at Griffin With Economy Listed Among Planks

Constitution

Atlanta, Ga.

1-27-58

By WILLIAM H. PARR

Lt. Gov. Ernest Vandiver has pledged there will be "no mixed school or college classrooms—not one—during my administration."

Announcing a 20-point platform Saturday, the candidate said he will "oppose with every personal and governmental means at my command any breakdown at any time at any place in the existing pattern of segregation in Georgia."

Mr. Vandiver pledged that all local officials will have full backing of the governor's office and the state government "in the proper performance of their duties under the Constitution and laws of Georgia."

He called the county unit system a "mighty rampart of local self-government" and said the state's full legal machinery will be employed to "defend it against attack from any quarter."

THE PLATFORM strikes hard at the current administration of Gov. Marvin Griffin without mentioning any current administration leaders by name.

On the subject of state finances the platform says this:

"My administration will turn to sincere and genuine economy instead of the expedients of higher taxes and spendthrift policies."

In another plank on "honesty in government" the lieutenant governor obviously was criticizing the controversial antimoonshine fund of Revenue Commissioner T. V. Williams Sr.

"There will be no slush funds or pork barrels," the platform reads, "and any department head, official or employe who forces any citizen to give him money for any purpose in connection with his official duties will be removed from office even if it is necessary to call a special session of the General Assembly to do it."

* * *

IN A BARB aimed at present purchasing practices, the platform declares that when bids are taken notice will be given "every person, firm or corporation desiring to bid on state business."

"My administration will insist that goods be purchased at the lowest possible prices on quality merchandise and quality workmanship," the platform pledges. "No one will have to pay a commission to do business with the state and the only requirement for obtaining the state's business will be the submission of the lowest bid for the best quality."

* * *

AND IGNORING a recent declaration by Gov. Griffin charging that he "lied" about rural roads in a speech at Dublin, Mr. Vandiver's platform contained most of the same statements on that subject.

"My administration will build rural roads on a pay-as-you-go plan with each county getting its fair share of available funds," the candidate promised. "There will be no bonded debt, favored contractors, exhorbitant fees, high interest, shoddy materials and workmanship, lax practices or waste in the Vandiver road program. Every available highway dollar will be spent building and maintaining roads and for no other purpose."

* * *

THE 20 POINTS as Vandiver listed them would:

1. Oppose any breakdown of the existing segregation pattern, prevent any race-mixing in the classrooms, and give full backing to local officials in performance of their duties "under the constitution and laws of Georgia."

2. "Maintain inviolate" the county unit system.

3. Operate a businesslike administration.

4. Modernize and streamline governmental agencies.

5. Seek to maintain a "safe cash reserve" and practice "sincere and genuine economy."

6. Make a "strict accounting for each dollar spent."

7. Protect the system of checks and balances between the governor and General Assembly.

* * *

8. **GIVE NOTICE** of bids to all interested parties, and see that "the only requirement for obtaining the state's business will be the submission of the lowest bid for the best quality."

9. Concentrate resources on education, health, welfare, highways, institutions and other essential services.

10. Provide an adequate education at the public school and college level.

11. Maintain Georgia's "position of national leadership in health services."

12. Take full advantage of available federal matching funds for old age and other public assistance programs.

13. "Give Georgians a greater return from their road dollars. . ."

14. Work "diligently" to make elelmosynary, training and correctional institutions more efficient and serviceable.

* * *

15. **MAINTAIN** a strong program of veterans services.

16. Continue "without letup" efforts of the state government to improve productivity and diversification of farms through "better crop methods, research and demonstration, marketing procedures and concerted efforts to make farm life more attractive."

17. Give high priority to "forestry protection, reforestation, propagation and protection of game and fish, operation of attractive and serviceable park and recreational areas, sound expansion of state port and dock facilities, support of youth training centers and laying the groundwork for potential use of atomic power."

Ga. Education Board Chairman Won't Quit; 'Loan' Legal, He Says

Atlanta Journal

By GLENN ANTHONY

Thur. 11-6-58

ATLANTA — (UPI) — George P., Whitman, Jr., told Gov. Marvin Griffin Wednesday he did not consider the "loan" he made to a former Purchasing Department official "illegal" and would not resign as chairman of the State Board of Education.

"I have committed no illegal or immoral act and I shall not resign my position," Griffin's press secretary quoted Whitman as telling the governor in a telephone conversation late Wednesday.

"Governor, I have only this to say, I have been a member of the Georgia State Board of Education — a constitutional board — since the year 1948." Whitman was quoted as saying. "All records relating to the matter in question have been voluntarily made available to the proper legal authorities of this county."

WHITMAN GAVE CHECK

A legislative committee disclosed that Whitman, a big supplier of state goods, gave W. C. Massee a $7,500 cashier's check March 1 1957, which was repaid. Whitman was appointed to the board by former Gov. Herman Talmadge for a six-year term and then reappointed in 1954 by Griffin. Whitman's appointment was "confirmed" by the Senate and the only way he could be removed from office would be through legislative impeachment.

The legislative committee, meanwhile, asked Griffin to "blacklist" persons or firms that refuse to discuss with the committee their sales made through the Purchasing Department. The request was made by Sen. Bobby Lee Cook, chairman of the committee investigating the department's method of doing business.

He asked Griffin to issue an executive order "cancelling any contracts that now exist that are to be performed in the future where the person is in defiance of this legally constituted committee."

VANDIVER SCOLDS LOAN

Whitman told members of the Board of Education that the check was a "legitimate business transaction" and had promised to make public his relationship with Massee as soon as he advised Griffin of the matter.

Griffin said early Wednesday he had been "unsuccessful" in reaching Whitman to get an explanation of the check.

Gov.-elect Ernest Vandiver labeled the so-called "loan" a "bad practice," and the Greene County Board of Education, headed by Carey Williams, a member of the Board of Regents from Greensboro, demanded that Whitman resign.

Cook disclosed that he has been unable to serve a subpoena on Raliegh Rollins and J. Whitley Walden, both suppliers of state goods. Rollins, a Bainbridge furniture dealer, is a Griffin appointee on the State Board of Corrections.

Atlanta Negroes Will Receive School Hearing

Talladega Home

Talladega, Ala.

ATLANTA (AP) — A hearing prior to school opening next year has been promised a group of Negroes seeking admission to Atlanta white schools.

Tues. 9-15-59

The promise was included yesterday in the court dossier in the case of 28 Negro pupils who were unable to obtain a federal court hearing on segregation in time for school opening this year. The announcement was made by U.S District Court Judges Boyd Sloan and Frank Hooper.

7.1

The Negroes' suit was filed in January of this year. Legal maneuvers kept the case off the docket until July 28 when the plaintiffs filed a motion for advancement of the trial.

Agnes Scott Teachers See School Closings as Disaster

73 Faculty Members Sign Paper Opposing Private Schools Here

By MARGARET SHANNON

Atlanta Constitution

A statement signed by most of the faculty of Agnes Scott College declares that closing the public schools would be "a major disaster" to the South.

The statement warned that closing the schools would spread "actual illiteracy" and said the substitution of private for public schools would be "haphazard at best."

Atlanta Jou

Seventy-three faculty members signed the statement. A news release issued by the college said they constitute 97 per cent of the faculty.

Sun. 12-1958

THE STATEMENT received the endorsement — though they were not among the signers — of Dr. Wallace M. Alston, president of Agnes Scott; Hal L. Smith, chairman of the board of trustees, and Dr. J. R. McCain, president emeritus.

Dr. Alston, a Presbyterian minister, ~~was a signer of both the~~ 1957 and 1958 manifestoes on racial problems issued by groups of Atlanta ministers.

Agnes Scott College is a private, Presbyterian church-related college for women.

The Agnes Scott faculty statement said that closing the public schools would result in:

1. The "deterioration of the working group because of a lack of education" and a subsequent decline in the South's per capita income.
2. "Mischief or more serious troublemaking" by idle boys and girls.
3. A migration from the South of "its most gifted young people."
4. Loss of "the best teachers and of many students who would never return."

* * *

DR. ALSTON said the statement came voluntarily "from honest and concerned members of the teaching profession."

"It is a measured, realistic warning that closing our schools will prove to be an ill - considered action, destructive of the economic, intellectual, moral and spiritual life of our state," he said.

Mr. Smith termed the statement "a fine one." He said it was "not inspired by the administration of the college." He said that he concurs with it as an individual.

Dr. McCain said he approves of the statement and he noted that the emphasis is on "the importance to education at all levels of the public schools of the state."

* * *

TEXT OF THE statement:

"As members of the faculty of Agnes Scott College and citizens deeply concerned for the welfare of the South, we wish to express our earnest hope that the public schools will be preserved. We feel that closing them would be a major disaster to the region.

"We assent entirely to the warning published by the Emory faculty of the loss in people qualified for every sort of work demanding special training, which the suspension of public education would cause.

Constitution

"Another even more far reaching evil would be the spread of actual illiteracy. For the past 50 years we have struggled to build up the public schools in order to combat exactly this handicap and to give every person the educational equipment to function as a citizen in a democracy.

12-1-58

"IT SEEMS the height of folly to jeopardize now the fruits of the struggle. The substitution of private for public schools, haphazard at best, would work a peculiar hardship on the children of the parents with small incomes, who would be left largely without any schooling at all.

"Since numerically this group is far the largest in our population, a great proportion of our people would have little or no education.

"Furthermore, illiteracy is now a much more serious economic handicap than it was 50 years ago, when the society of the region was largely agrarian and much of the work was hand labor.

* * *

"IN THIS DAY of mechanization, there are very few jobs which can be performed by illiterates. The deterioration of the working group because of lack of education would make a still further gap between the per capita income of the region and that of the rest of the nation.

"We feel also that closing the schools and thus making idle a great number of active boys and girls would be inviting them to turn their energies to mischief or more serious trouble making. This is said in no disparagement of our young people. There is real danger to the community in depriving any large group of its normal fruitful occupation.

* * *

"ANY DISLOCATION in our educational system would accelerate the migration from our region of its most gifted young people. We are just beginning to be able to hold them because of the influx of industry, which would itself be endangered by uncertaintly about education and a supply of trained workers.

"It is sometimes said that if the schools close, they can be reopened. But it is wishful thinking to suppose that the reopening would be the simple performance of opening the doors. A closing of the schools for however brief a period would bring about the loss of the best teachers and of many students who would never return.

"Reopening would mean starting again the whole arduous and costly process of building up the organization and establishing standards.

"We urge, therefore, that our public schools be kept functioning without any break in the continuity of their service, so essential to the very life of the community."

List of Faculty Signers

Here is a list of the faculty members of Agnes Scott College who signed a statement on the public school question:

John Louis Adams
Mary Virginia Allen
Ruth M. Banks
Judith Berson
Mary L. Boney
Josephine Bridgman
Edna Hanley Byers
William A. Calder
Kwai Sing Chang
Anne M. Christie
Melissa A. Cilley
Frances Clark
W. G. Cornelius
Elizabeth A. Crigler
S. L. Doerpinghaus
Mrs. Miriam K. Drucker
Florene J. Dunstan
Mrs. William C. Fox
W. Joe Frierson
Jay C. Fuller
Paul Leslie Garber
Julia T. Gary
Leslie J. Gaylord
Lillian R. Gilbreath
M. Kathryn Glick
Mrs. Netta E. Gray
Nancy Groseclose
Roxie Hagopian
Muriel Harn
Irene L. Harris
George P. Hayes
Richard L. Henderson
Marie Huper
C. Benton Kline Jr.
Edward T. Ladd
Ellen Douglass Leyburn
Kay Manuel
Raymond J. Martin
Kate McKemie
W. Edward McNair
Mildred R. Mell
Michael McDowell
Timothy Miller
Ione Murphy
Lillian Newman
Katharine T. Omwake
Rosemonde S. Peltz
Margaret W. Pepperdene
Margaret T. Phythian
W. B. Posey
Janef Newman Preston
George E. Rice Jr.
Mary L. Rion
Sara Ripy
Henry A. Robinson
Anne Martha Salyerds
Carrie Scandrett
Catherine S. Sims
Anna Greene Smith
Florence E. Smith
Chloe Steel
Laura Steele
Koenraad W. Swart
Pierre Thomas
Margret G. Trotter
Sarah Tucker
Merle G. Walker
Ferdinand Warren
Robert F. Westervelt
Llewellyn Wilburn
Roberta Winter
Mrs. J. Harvey Young
Elizabeth G. Zenn

ope For Full Negro Rights Made At School Dedication

Daily World Atlanta, Ga.

Tues. 2-25-58 p. 1

By GEORGE M. COLEMAN

St. Paul of the Cross Elementary School was dedicated Sunday afternoon in a solemn ceremony which was climaxed with the hope that Negroes in the South will soon be granted full rights "they have every right to be children of God, members of the human race and citizens of this country."

The school was dedicated by the Most Reverend Frances E. Hyland, Bishop of the Atlanta Diocese of the Catholic Church, who made references to the problem of Dixie's social conditions in a concluding address.

14d(1)

A gathering of interested people, including Negro and white families watched the ceremony from the spacious lawn of the school located at Collier Drive and Harwell Road.

An outdoor altar was constructed on the landing of the building, upon which about 50 priests and nuns were seated. The setting was complete with ceremonial robes worn by priests and altar boys who opened the program with a processional.

SCHOOL BLESSED

Bishop Hyland made his remarks after blessing the school and the grounds in a colorful ceremony.

He then praised the Passionist missionaries for constructing the school, which is to be the first of several buildings including a church. He said their efforts were further proof of the church's long standing affection for members of the Negro race.

Bishop Hyland spoke of the church's desire to help colored people, but lamented "the regrettable political and social structure in the South."

Because of the South's laws and structures "we are not able to accomplish all we would like to."

However, he said, "We sympathize with them in their quest for all the rights they have every right to as children of God, as members of the human race, and citizens of this country."

The bishop offered the hope for the day when full rights will be achieved by all "in this nation which professes to be Christian."

PURPOSE OF SCHOOL

The purpose of the school was outlined by the Very Rev. Carrol ..., Vice Provincial. Father Ring said the school, with sisters who have "dedicated their lives to Christ" as teachers "will be big enough to take in science, and at the same time remember the first cause, God."

Father Ring said the parochial school fulfills the ideal of developing the child into "a balanced individual."

He declared a school "is as strong as its teacher," and hailed the school as one which would teach a child all subjects without subordinating any . Such a school, he added "will strive to make sturdy loyal citizens," and fashion children "into the fullness of God's design, so sorely needed in society today."

Daily World 14

Father Emmanuel Trainer, Pastor of the parish, was ill, and unable to attend ceremonies. Father Gabriel Gorman, who supervised the construction, returned for the dedication. Father Edward Banks, assistant pastor, supervised the ceremony.

Ga. Teacher Reinstated After Row

News & Courier

LAKELAND, Ga., (P) — Gray-haired Mrs. A. B. Baskin has won reinstatement to the Lanier County teacher job which she gave up —under pressure, she said—after permitting a white boy to ride on a Negro school bus.

Charleston S.C.

14d(1)

She was restored Tuesday for the rest of the school term, during which she will become eligible to retire at 65 with pension benefits. All pay lost since she quit Feb. 1 will be made good.

Chairman Wallace Thigpen said the county board reversed an earlier decision and reinstated her on recommendation of state school officials.

Fri 4-11-58

Mrs. Baskin, who was present with her lawyer, expressed relief that the question finally had been settled.

p. 2A

A flareup attending her resignation, which the county board members claimed was voluntary, stirred keen interest inside and outside the south Georgia county. Some looked upon the controversy as a test of just how far Georgia's ironclad racial segregation could be carried.

Mrs. Baskin, a teacher for 18 years, emphaized that she believes in segregation. She explained that she allowed the boy, Pat Taylor, one of her fourth graders, to ride the Negro bus only as a final alternative.

The white buses had all left, she said, and she planned to take him and others home in her car but found she had a flat tire. He caught the Negro bus, she added, rather than wait until the tire was repaired.

TEACHER REINSTATED

Times p. 51

Georgian Allowed White Pupil to Ride Negro School Bus

New York

LAKELAND, Ga., April 9 (AP) —Mrs. A. B. Baskin, a Lanier County teacher who said she had been forced to resign because of a segregation incident, was reinstated yesterday.

p. 51

The reinstatement was voted by the county school board at a meeting attended by state school officials. It was made effective Feb. 1, the date of her resignation, and means she will lose no salary.

14d(1)

Thurs. 4-10-58

Mrs. Baskin allowed a 9-year-old white pupil, whose bus had left, to ride home in a Negro school bus. She contended that she had been pressured into resigning. Members of the county board, however, maintained thaat she had quit voluntarily when the incident had been discussed with her.

Wallace Thigpen, chairman of the school board, said that state school authorities had recommended that she be reinstated. Mrs. Baskin, a teacher for eighteen years, is 65 years old.

Georgia Teacher Wins Back Job After Negro Bus Tiff

Advertiser p. 2C

LAKELAND, Ga. (P)— Gray-haired Mrs. A. B. Baskin has won reinstatement to the Lanier County teacher job which she gave up — under pressure, she said — after permitting a white boy to ride on a Negro school bus.

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Montgomery Ala.

14d(1)

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Thur. 4-10-58

Mrs. Baskin, who was present with her lawyer, expressed relief that the question finally had been settled. She said the experience had been trying for her. She will resume teaching a fourth grade class immediately.

A flareup attending her resignation, which the county board members claimed was voluntary, stirred keen interest inside and outside the south Georgia county. Some looked upon the controversy as a test of just how far Georgia's ironclad racial segregation could be carried.

14d(1)

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The white buses had all left, she said, and she planned to take him and others home in her car but found she had a flat tire. He caught the Negro bus, she added, rather than wait until the tire was repaired.

Agnes Scott Staff Against Closing Of Area Schools

14d(1)

Atlanta World

Ninety-seven per cent of the faculty of a local white college signed a statement warning that closing of the public schools would spread "actual illiteracy" and said the substitution of private for public schools would be "haphazard at best."

Atlanta Ga.

The statement signed by most of the faculty of Agnes Scott College declared that closing the schools would be " a major disaster" to the South.

Sun. 12-14-58

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B. "Mischief or more serious troublemaking" by idle boys and girls.

C A migration from the South of "its most gifted young people."

D. Loss of "the best teachers and of many students who would never return.

Seventy-three faculty members signed the statement. A news release issued by the college said they constitute 97 per cent of the faculty

World

The statement received the endorsement of Dr. Wallace M. Alston,, president of Agnes Scott; Hal L. Smith, chairman of the board of trustees: and Dr. J. R. McCain president emeritus.

Sun 12/14/58

Dr. Alston said the statement came voluntarily "from honest and concerned members of the teaching profession" "It is a measured, realistic warning that closing our schools will prove to be an ill-considered action, destructive of the economic, intellectual, moral and spiritual life of our state." he said

Dr. Alston, a Presbyterian minister, was a signer of both the 1957 and 1958 manifestoes on racial problems issued by groups of Atlanta ministers.

14d(1)

Mr. Smith termed the statement "a fine one." He said it was not inspired by the administration of the college." He said that he concurs with it as an individual.

Dr. McCain said he approves of the statement and he noted that the emphasis is on "the importance to education at all levels of the public schools of the state."

Gainesville School Board Urged To Prepare For Our Present Age

GAINESVILLE, Ga. — A thirty-two page Curriculum Survey Study Group report, released this week by Ulysses Byas, principal of Fair Street Junior and Senior High School here, has urged the Superintendent of Schools and the Board of Education to expand the educational program to include "subjects to prepare students to live in our present age."

1958

World P.1

The report makes a 11-Point Recommendation, which also includes the setting up of an adult program of education.

Apr. 4-12-58

The Report says that because of "varied and wide discussion of the curricular offerings" of the Fair Street School the three-fold study was made. It details findings of committees which: (1) made an examination of graduates and dropouts; (2) conducted a study of and administered tests, including selected standardized tests, on a survey basis; (3) and inquired into the desires and wishes of parents and other interested adults relatative to the school curiculum.

In the Study comparative studies are shown of graduates and in-school population on achievement test.

Atlanta, Ga.

Says the report on its survey of graduates: "This study pointed up the need for some changes in the curriculum at Fair Street and the need for additional courses. "It pointed out that far too few of the students remain in school until they have completed high school, too few attend college or take any type of additional training." It was revealed that forty-three per cent of those returning the questionnaire were financially unable to attend college.

SUGGESTIONS GIVEN

Then the report posed several suggestions to change this condition. It said: "considering the wage scale in Gainesville, this high percentage of financial inability for college training points up the need for adult education or some method of teaching parents how to budget their incomes." There was suggested a seeking out how providing of more scholarships for worthy students, can be made.

Of the present school population the report revealed that forty-five per cent have made financial plans to go to college. It was also revealing that only fourteen per cent planned to live in Gainesville following graduation. Thirty-eight per cent had hopes of living outside of Georgia.

World P.6

Apr. 4-12-58

Revealing, however, was the fact the three-fourth of the students failed in the Related Science area of the Social and Related Science Test. There was also uncovered in the Testing Survey that existed a certain amount of inconsistency, which indicated a deficiency in reading, spelling and vocabulary usage.

Atlanta, Ga.

LIBRARY IMPORTANCE

A criticism of the High School Library was made in the report. It was said that "the materials in the School Library are inadequate to serve the purposes for which the library is intended."

1958

Ga.

The Study Committee called for increased funds that "out of date books may be discarded and replaced with usable books and reference materials to meet current needs."

The Curriculum Survey Study Group reported in concluding its report, in constrained wording, pointed up the urgent need for immediate action on:

1. Employment of a combination Guidance Counselor and Visiting Teacher.
2. Introduction of a commercial education program.
3. Teaching of chemistry, physics and advanced biology in the school program.
4. Offering of French and Spanish courses.
5. Offering of public school music.
6. Starting of a physical education program.
7. Adding of a Driver's Education Course to the regular studies.
8. Begin a regular testing program to include all students.
9. Introduce a workshop in teaching of reading for teachers.
10. Begin Adult Education classes.
11. And provide additional funds for the High School Library.

Attempt of Negroes to enter Atlanta schools draws fire

ATLANTA, Jan. 14—(AP)—Georgia's liteutenant governor says a Federal Court suit filed by 10 Negro parents seeking to end segregation in Atlanta's public schools is an "insensible and foolhardy act."

1958

News P.1

Lt. Gov. Ernest Vandiver made the statement as he joined with several other public officials in criticizing this first attempt to break down the public school pattern in the capital of tightly segregated Georgia.

Jan 1-14-58

Gov. Marvin Griffin has said repeatedly that he will close the schools in the state before allowing them to integrate.

Birmingham

Vandiver, who is expected to be a candidate for governor, said "it is a tragedy that certain irresponsible Negro leaders would by this insensible and foolhardy act attempt to destroy our separate system of schools. They will fail in their efforts. . ."

Ala.

Mayor William B. Hartsfield of Atlanta said he was "sorry this suit was filed."

The Negro parents filed the suit Saturday on behalf of 28 school-age children. The suit charged that the Atlanta Board of Education and Atlanta School Supt. Ira Jarrell have failed to desegregate the Atlanta schools in compliance with decisions of the U. S. Supreme Court.

1958

Ga.

Defender P. 12

TO SEE MOTHER HONORED—Simeon M. Davie and his sister, Mrs. Virginia Morgan, are caught by photographer outside Davie's Lake Meadows apartment, prior to leaving for Rome, Ga., where their mother, Mrs. Anna Davie will be honored by the dedication Sunday, of a 16-room school named after her. Mrs. Davie, widow of the late Dr. S. M. Davie, was a teacher and principal in Rome. She now lives in Atlanta. The dedication, is unique, because Mrs. Davie is still living.

14d(1) 1958

GEORGIA

✓

SUE TO FORCE INTEGRATION ON ATLANTA

Tribune p.22-1

Chicago Ill.

Negroes Seek to Halt School Segregation

Sun 1-12-58

Atlanta, Jan. 11 (AP)—A group of Negro parents today filed suit in United States District court here seeking to end segregation in Atlanta's public schools.

14d(1)

It was the first attempt to break down the public school pattern in Georgia, altho other suits have tried to end racial segregation in colleges and on Atlanta's buses.

Ga.

Gov. Marvin Griffin, a foe of integration, has said repeatedly that he will close the schools in Georgia before allowing them to integrate.

The attorneys filing the suit on behalf of 10 Negro parents were Thurgood Marshall, chief counsel of the National Association for the Advancement of Colored People; Constance Baker Motley, Marshall's associate in New York City, and E. E. Moore Jr., Atlanta.

School Officials Named

The suit named Miss Ira Jarrell, city school superintendent, and the nine members of the board of education as defendants. It charges them with failing to integrate the schools in keeping with Supreme court decisions and asks that they be enjoined from further segregated school operation.

Federal District court officials said no date has been set for a hearing. They added that ordinarily such injunction actions are given precedence, but because of other court commitments a hearing may not be held for a month or more.

The parents set forth that between June, 1955, and September, 1956, they intermittently petitioned the school authorities to comply with the Supreme court decrees of May 17, 1954, and May 31, 1955. The officials, they add, not only did not comply, but "failed and refused to make an official declaration of their intent."

"Deprived of Opportunity"

As a result, they contended, the Negro pupils have been deprived of equal educational opportunities and may suffer irreparable injury if relief is not forthcoming.

The action is the third against segregation brought in the last 18 months in this city of more than a half million population, capital of segregated Georgia.

Pending in the United States District court are a suit brought by four Negro students late in 1956 for entry into the Georgia State college here, and another by two Negro ministers in June against segregation on city buses.

Science Pressure on Schools Subject of Fulton Discussion

Constitution p. 6

Atlanta Ga. Mon 3-3-58

A symposium has been set up for Thursday by Fulton County school officials to discuss problems confronting education because of pressure brought on by scientific developments.

Douglas G. MacRae, assistant superintendent of county schools, said the symposium "is one of the preliminary things we are doing in an effort to take a constructive view of what our schools ought to be doing these days."

MacRae said Russia's launching of a satellite before the United States did concentrated critical attention of both laymen and educators on the school program.

14d(1)

MOST EDUCATORS

Ga.

"While most educators feel in many places today there is an inordinate emphasis being placed on math and science in the curriculum, we realize this interest and concern is going to lead to a general excellence in all fields," MacRae explained.

Scheduled at Headland High School in East Point from 9 a.m. to 3:45 p.m., the symposium will relate to all phases of education.

Invited to the discussions are members of the county Board of Education, principals and counselors of county high schools, elementary school principals and teachers, business representatives and the public.

ON PROGRAM

Appearing on the program will be:

Dr. Ralph T. Overman, director of the Institute of Nuclear Studies at Oak Ridge, Tenn., to discuss the job of schools in science today; Methodist Bishop Arthur J. Moore to discuss humanitarian, ethical and moral values facing schools; Dr. Howard Fehr, head of the math teaching department of Columbia University Teachers College, to discuss the job of schools in math.

M. H. Markwood, assistant vice president of Southern Bell Telephone and Telegraph Co., to talk about what competencies businessmen would like high school graduates to have, and Dr. Prentice Miller, dean of students at Emory University, to discuss needed competencies for college success.

Afternoon portions of the program will feature discussions on quality education in math and science by Dr. Fehr and Dr. Overman and discussion of quality education generally by Dr. Newton Hodgson of Emory's teacher education division.

Besides the above-mentioned speakers, a summary panel will include Dr. Robert H. Rohrer, associate physics professor at Emory and Dr. Marvin B. Sledd, director of mathematics at Georgia Tech.

Won't Rehire Teacher, Lanier Rules

Constitution

Atlanta Ga.

14d(1)

Ga.

p. 1

Tue 3-4-58

LAKELAND, March 3 (AP)—The Lanier County Board of Education Monday refused to reinstate a veteran teacher who unintentionally became involved in this south Georgia community's biggest segregation dispute.

After a three-hour hearing, the teacher, Mrs. A. B. Baskin, said her self-respect requires that she appeal to the State Board of Education.

She denied submitting a letter of resignation. She said Superintendent J. W. Threatte had said her teaching was satisfactory and had stated that she was not an integrationist. She suggested fear was the cause for her dismissal.

Most of the testimony centered on whether the white-haired, 64-year-old teacher resigned under pressure and whether she made proper attempts to appease an entire community.

Mrs. Baskin's troubles began Dec. 18 when her fourth grade was dismissed too late to ride school buses home. She took three students in her auto but had a flat tire en route.

She flagged a school bus but it turned out to be transporting Negro students. Mrs. Baskin said she offered Pat Taylor, 9, who lives in the Knight Community about 10 miles from the Lakeland school, his choice of riding the bus or waiting until her tire was repaired. He took the bus ride.

Georgia Teacher In Racial Dispute Told 'No Vacancy'

Advertiser Tues. 3-4-58

Montgomery Ala.

LAKELAND, Ga., March 3 (AP)—The Lanier County Board of Educatvn refused today to reinstate a veteran teacher who unintentionally became involved in this south Georgia community's biggest segregation dispute.

14d(1)

Following a three-hour hearing which much resembled court room procedure the board ruled that the resignation submitted by Mrs. A. B. Baskin had been unanimously accepted and that there is no vacancy in the county school system.

Mrs. Baskin's attorney said the decision probably will be appealed to the State Board of Education.

Most of the testimony centered on whether the white-haired 64-year-old teacher resigned under pressure and whether she made proper attempts to appease an entire community.

Mrs. Baskin's troubles began Dec. 18 when her fourth grade class was dismissed too late to ride school buses home. She took three pupils in her auto but had a flat tire en route.

She flagged a school bus but it turned out to be transporting Negro students. Mrs. Baskin said she offered 9-year-old Pat Taylor, who lives in the Knight community about 10 miles from the Lakeland school, his choice of taking the bus or waiting until her tire was repaired. He took the bus ride.

Mrs. Baskin said at the conclusion of the visit she told the men "I guess I can quit as I came in. I did not have a contract when I came in so I don't need anything in writing as I go out."

EMERGENCY ACT BY TEACHER

White Student Riding Home in Negro School Bus Creates Georgia Furor

LAKELAND, Ga., Feb. 28 (AP)—A white-haired school teacher of 64 has unintentionally stirred up what some view as a school segregation crisis in Lanier County.

She is Mrs. A. B. Baskin, who in an emergency just before the Christmas holidays allowed a white pupil, Pat Taylor, 9, to ride home in a Negro school bus.

Pat's parents, Mr. and Mrs. Paul Taylor of the Knight community, complained and soon the county was in ferment over the incident. The Taylors finally signed a statement absolving the teacher but the grumblings spread and grew louder, especially in the Knight community.

The upshot was that Mrs. Baskin, a veteran of 21 or 22 years in the teaching profession, resigned. But, she announced later, she has reconsidered and will ask the school board to reinstate her.

The board and County Supt. J. W. Threatte hold that, whatever her intentions, she made a serious mistake—one that could cost the county all of its state school aid.

This would be under state law automatically withholding funds from any county abandoning school segregation for any cause.

"After all, she desegregated the school buses in this county just like that," said board member John Crum, who is southwest district secretary for the YMCA. Crum asserted that if the point were pushed he is sure Gov. Marvin Griffin would "cut off our money fast."

Threatte and board Chairman Morris Thigpen emphasize that they do not consider Mrs. Baskin an integrationist. They hold that she made a mistake which could have proved costly to the county.

Among those viewing the incident with alarm is Rep. W. T. Bodenhamer of Tift County, Baptist preacher and executive secretary of the segregationist States Rights Council of Georgia. Bodenhamer talked with Crum and another school official and left no doubt in their minds of his feelings.

The vexing incident occurred on a day in December when school was dismissed early to allow some of the teachers to attend the funeral of Whit Jackson, prominent citizen. Mrs. Baskin inadvertently kept her fourth graders until the school buses had left them behind.

Two other teachers took some of the children home in their cars and Mrs. Baskin planned to take the remaining three in hers. But her car had a flat tire.

She saw a school bus coming but it turned out to be a Negro bus. She said she offered Pat the choice of taking it or waiting until her tire was fixed. He went on the bus.

Mrs. Baskin is a farm wife with five grown children. Ever since she began teaching off and on in 1925, she has been plugging away at a college degree. She finally got it last spring from nearby Valdosta State College. Three of her children also are college graduates.

Times P. 2

Jan 3-1-58

Jacksonville, Fla.

Consider Reinstating Georgia Teacher Who Let White Student Ride Home In Negro School Bus

LAKELAND, Ga. — (INS) — A hearing Monday by a county school board considered reinstatement of a Georgia teacher branded an "integrationist" because she allowed a white pupil to ride home in a Negro school bus.

Mrs. A. B. Baskin, 65, fourth-grade instructor at Lakeland, Friday said the incident was blown "all out of proportion."

The incident, which occurred before Christmas recess, caused Lanier County School Board officials to ask for Mrs. Baskin's resignation which she proffered after 21 years at Lakeland.

The mother of five children said: "I felt terrible about it, because that's the way I've spent all my life — teaching."

She said if local officials refuse to reinstate her she "will probably appeal to the state school board."

Mrs. Baskin said she was not an integrationist but "after all — a Georgian." Her resignation was requested, she asserted, "because of all the fuss made."

She said the incident occurred December 18 when, while driving three of her pupils home, her auto had a flat tire. She flagged an oncoming Negro school bus after one of the pupils told her it passed his house.

Mrs. Baskin said she was due to retire this month and wants her job back so "I can keep my record clean."

Call P. 1

Jan 5-58

Kansas City, Mo.

Fight Integration Here, Vandiver Tells Mayor

Constitution P. 1

Atlanta, Ga.

Lt. Gov. Ernest Vandiver Friday suggested Atlanta Mayor Hartsfield "devote his energies" to preventing race mixing in the city's schools rather than fighting the county unit system.

Vandiver, an unofficial candidate for governor, said the Atlanta mayor "seems determined to divide us and to weaken us within when we should present a united front to the nation."

The lieutenant governor issued a statement attacking Hartsfield after the mayor hinted a possible court action to overturn the unit system.

Jan 3-1958

Earlier, there were reports Hartsfield was spearheading a drive to run an independent candidate for governor next November in the general election on an anti-county unit platform.

NO UNIT IN ELECTION

The unit system, which packs the balance of political power in the hands of the state's small rural counties, applies to party primaries but not to the general election.

Hartsfield Friday denied plans for independent action in the November general election. But he dropped hints a new effort may be made soon to have the unit system knocked out in the courts.

Previous court actions against the unit system have all met failure.

State Democratic Chairman John Sammons Bell of Atlanta said "anyone who runs as an independent in the general election against a nominee of the state Democratic Party would be a bolter from the Georgia Democratic Party."

STOPS CITY MACHINES

Vandiver said the unit system stops "city political machines," "bloc voting," and "pro-integration, would-be dictators" at the county line. Referring to Hartsfield's attacks on the system, he said:

"He had best devote his energies toward preventing a mixing of the races in the classrooms in the public schools in his city."

A suit has been filed in Federal District Court here seeking to integrate Atlanta public schools.

Hartsfield also came under attack from State Rep. A. A. Fowler Jr., of Douglas County, a candidate for lieutenant governor. He offered to debate the mayor on the unit system at any place including Atlanta.

P. 12

"Hartsfield is trying to put the same black majority in control of the government of Georgia as he does in the control of the city of Atlanta," Fowler said.

Although the mayor denied a plan to attack the county unit system via an independent against the gubernatorial nominee in next fall's general election, there were persistent reports he discussed the possibility with several persons.

Constitution

He contacted Secretary of State Ben Fortson's office to get an opinion on petitions seeking to have the name of an independent candidate placed on the general election ballot. Hartsfield said he was told five per cent of the qualified voters living anywhere in Georgia could order the name placed on the ballot. Hartsfield was interested to know if county lines would be a barrier to the five per cent. The opinion was they would not.

Jan 3-15-58

Hartsfield has told confidants he believed an announcement prior to the primary would remove from the independent candidate the label of "bolting the primary."

Hartsfield was the nominee for a four-year term in last May's city primary. He was opposed by Lester Maddox, restaurant operator, in the Dec. 4 general city election. One of the mayor's principal appeals was for support of the primary. He won.

1429

ATTACK ON GEORGIA PATTERN

Advertiser Montgomery Ala

Atlanta Negro Parents Sue To Force Integration

Jan 1-12-58 P.1A

14d(1) Ga—

ATLANTA, Jan. 11 (AP)—A group of Negro parents today filed suit in federal court here seeking to end segregation in Atlanta's public schools.

It was the first attempt to break down the public school pattern in Georgia although other suits have tried to end racial segregation in colleges and on Atlanta's buses.

Gov. Marvin Griffin, an ardent foe of integration, has declared repeatedly that he will close the schools in Georgia before allowing them to integrate.

The attorneys filing the suit on behalf of 10 Negro parents were Thurgood Marshall, chief counsel of the National Assn. for the Advancement of Colored People; Constance Baker Motley, Marshall's associate in New York; and E. E. Moore Jr., Atlanta.

BOARD NAMED

The suit named Atlanta School Supt. Miss Ira Jarrell and the nine members of the board of education as defendants. It charges them with failing to integrate the schools in keeping with U.S. Supreme Court decisions and asks that they be enjoined from further segregated school operation.

U.S. District Court officials said no date has been set for a hearing. They added that ordinarily such injunction actions are given precedence but because of other court commitments a hearing may not be held for a month or more.

No judicial assignment has been announced for the action.

REQUESTS CITED

The parents set forth that between June, 1955, and September, 1956, they intermittently petitioned the school authorities to comply with the Supreme Court decrees of May 17, 1954, and May 31, 1955. The officials, they add, not only did not comply but "failed and refused to make an official declaration of their intent."

As a result, they contended, the Negro pupils have been deprived of equal educational opportunities and may suffer irreparable injury if relief is not forthcoming.

Advertiser P.2A

Parents bringing the action for their children are Willie Calhoun, Henry L. Harper, Leonard Jackson, Roosevelt Winfrey, Johnny Fears, Dock Putnam, Ralph Swann, David Lester, Hudie McDowell and Mrs. Ruth Smith. Twenty-eight children were listed as minor plaintiffs.

Jan 1-13-58

Negro Parents File Suit Here On Segregation

Constitution

Atlanta Ga

P.1A

Education Board, Supt. Jarrell Named As the Defendants

Jan. 1-12-58

By BILL PICKERING

Ten Negro parents filed suit in Federal Court here Saturday asking for an end to segregation in Atlanta's public schools.

The Negroes, who brought the suit on behalf of their school-age children, charged that the Atlanta Board of Education and Atlanta School Supt. Ira Jarrell have failed to desegregate the Atlanta schools in compliance with decisions of the U.S. Supreme Court.

Miss Jarrell and the nine members of the Board of Education were named as defendants.

The suit listed Thurgood Marshall, chief legal counsel for the National Assn. of Colored People, as one of the Negroes' attorneys. Others are Constance Baker Motley, an associate of Marshall's in New York, and E. E. Moore Jr., an Atlanta attorney.

* * *

SPECIFICALLY, the Negroes' suit asked Federal Court here to issue a "preliminary and permanent injunction enjoining the defendants from operating the public school system of the City of Atlanta on a racially segregated basis."

U.S. District Court officials said no date has been set for a hearing on the suit. Ordinarily, they said, suits requesting injunctions are given precedence over other type suits. However, because of other court commitments, no hearing on the suit will probably be held for at least a month, it was said.

The name of the federal judge to which the case will be assigned has not been announced.

* * *

IN THEIR suit, the Negro plaintiffs said they "intermittingly filed" between June, 1955, and September, 1956, written petitions with the school superintendent and the Board of Education.

The petitions, it was said, asked for the reorganization of the Atlanta public schools on a racially non-segregated basis in compliance with U.S. Supreme Court decision of May 17, 1954, and May 31, 1955.

The defendants have continued to operate the schools on a segregated basis and also have "failed and refused to make an official declaration of their intent" to desegregate the schools, the suit charged.

P. 7A

* * *

THE NEGRO plaintiffs said that operation of the Atlanta schools on a segregated basis deprives Negro pupils of "equal educational opportunities" granted them by the equal protection clause of the Fourteenth Amendment of the Constitution.

Constitution

Segregation in Atlanta schools "consequently results in irreparable injury" to Negro pupils, the suit continued.

Jan. 1-13-58

The court was asked to issue an injunction enjoining the defendants "from operating the public school system of Atlanta on a racially segregated basis and . . . from refusing to permit the minor plaintiffs to attend any public school in the City of Atlanta which they are otherwise qualified to attend, solely because of their race and color."

The Negroes bringing the suit were listed as Willie Calhoun, Henry L. Harper, Leonard Jackson Sr., Roosevelt Winfrey, Johnny Fears Sr., Dock Putnam, Ralph Swann, David Lester, Hudie McDowell and Mrs. Ruth Smith.

* * *

THE NAMES of 28 children of the Negroes were named as minor plaintiffs.

Members of the Board of Education listed in the suit included A. C. Latimer, Ed S. Cook, Allen L. Chaney Jr., Rufus Clement, L. J. O'Callahan, Oby T. Brewer Jr., Glenn Frick, Mrs. Clifford N. Ragsdale and Harald Jackson.

The suit against segregation in the Atlanta schools is the third legal action brought by Negroes in the last 18 months in Federal Court here aimed at ending segregation in Atlanta.

Four Negro students filed a suit in September, 1956, seeking to gain admission to Georgia State College in Atlanta. Two ministers last June filed a suit asking for an end to segregation on city buses.

Both the bus suit and the Georgia State College suit are still pending in U. S. District Court.

SCHOOL INTEGRATION SOUGHT IN ATLANTA

Commercial Appeal

Negro Group Files Suit—Governor Warns He May Close Institutions

Memphis Tenn

Jan 1-12-58

By The Associated Press

ATLANTA, Jan. 11.—A group of Negro parents Saturday filed suit in Federal Court here seeking to end segregation in Atlanta's public schools.

P.1

It was the first attempt to break down the public school pattern in Georgia although other suits have tried to end racial segregation in colleges and on Atlanta's buses.

Gov. Marvin Griffin, an ardent foe of integration, has declared repeatedly he will close schools in Georgia before allowing them to integrate.

Attorneys filing the suit on behalf of 10 Negro parents were Thurgood Marshall, chief counsel of the National Association for the Advancement of Colored People; Constance Baker Motley, Marshall's associate in New York; and E. E. Moore Jr., Atlanta.

The suit named City School Supt. Miss Ira Jarrell and the nine members of the Board of Education as defendants. It charges them with failing to integrate schools in keeping with United States Supreme Court decisions and asks that they be enjoined from further segregated school operation.

Federal District Court officials said no date has been set for a hearing. They added that ordinarily such injunction actions are given precedence but because of other court commitments a hearing may not be held for a month or more.

NAACP Should Drop School Integration Suit

Constitution P.4

Atlanta, Ga.

Coming at a time when the Georgia Legislature is convening to consider measures which will weaken the state's educational system, the NAACP petition filed Saturday in U.S. District Court to end segregation in the Atlanta school system is ill-timed, ill-advised and a grave disservice to both races.

Jan. 1-14-58

Georgia today is spending about 53 per cent of its state budget for education of both races. Her people are making great sacrifices to equalize educational opportunities for all. It is this entire structure that is now in danger—the entire public school system itself.

If the public schools are destroyed, and that is surely no remote possibility, will the NAACP or anyone else have gained a victory? It will be the children—of both races—who will pay the consequences. The result will be a weaker state and a weaker nation.

It would be in the best interest of everyone if the NAACP would withdraw this suit and let Georgians work out this problem without the bitterness and rancor which is sure to come from the action itself. We urge the NAACP to do so. No useful purpose will be served by its move at this time and irreparable and lasting harm could result.

School Segregation Suit Provokes Varying Comments

Daily World Atlanta. Ga. P. 1 Tues. 1-14-58

A suit asking for abolition of segation in the Atlanta schools has provoked varying comments from several city and school board officials. However, no one indicated any specific plans of defense.

E. E. Moore, attorney for the plaintiffs and J. H. Calhoun, president of the Atlanta Branch NAACP, could not be reached for comment Monday.

Following are statements concerning the suit which was filed in Federal Court here last week by 10 Negro parents:

MAYOR WILLIAM B. HARTSFIELD: "I am sorry this suit was field. The mayor and alderman have nothing to do with the operation of Atlanta schools. However, our city attorney is charged with their presentation and will file immediately appropriate defense."

CITY ATTY. JACK C. SAVAGE: "I haven't seen the suit yet, but I can say that we will defend the board and will resist the suit to the limit of our abilities."

LT. GOV. ERNEST VANDIVER: "The people of the Sovereign State of G[illegible] are [illegible]ed and resolut[illegible] there will be no mixing of the [illegible] in the school rooms of [illegible]

SCHOOL BOARD CHAIRMAN A. C. (Pete) LATIMER: "I have not been served with any papers in the suit filed by Thurgood Marshall chief consul for the NAACP, against the Atlanta school board. Our board will confer as soon as possible with the city attorney who is charged by law with responsibility of defending the board of education.

"It is unfortunate and regrettable for this suit to be brought against the new board of education which faces many problems in reorganizing, in adopting its budget, in setting the tax rates for schools, and important duties it faces at this time."

Miss Ira Jerrell, school board superintendent, and Atty. Gen. Eugene Cook refused to comment on the suit bcause they had not examined it.

Political Notebook

School Attendance Law Repeal Attempt Looms

By WILLIAM M. BATES
Constitution Political Editor

Constitution P.21
Fri 1-10-58
Atlanta, Ga.

A new move is in the works to repeal Georgia's compulsory school attendance law at the coming session of the General Assembly.

A similar attempt was made at last year's session. It touched off a brief but biting controversy before being sidetracked in a compromise

The repeal effort is being pushed primarily in the name of further strengthening of the state's school segregation defenses. But it also has some backing from those who are simply opposed to the concept of universal, mandatory schooling. Persons of such persuasion are more numerous than you might think.

William M. Bates

State Rep. William T. Bodenhamer of Tift county, a highly vocal segregationist, says he has heard "from a number of legislators" that a bill to repeal the attendance requirement will be introduced at the session that opens Monday.

FAVORS REPEAL

Bodenhamer, a member of the State Board of Education and chairman of the House Education Committee, favors repeal of the law.

So does Atlanta Attorney B. D. (Buck) Murphy, one of Gov. Griffin's closest legal advisers who has been on the firing line of most of the court battles over segregation.

"It was my opinion before the 1957 session that the attendance law ought to be repealed and I ha en't changed my mind," Murphy said.

MUCH OPPOSITION

As at last year's session, there is formidable opposition within and without the Legislature to abolition of the attendance requirement. That opposition includes public school leaders in the State Department of Education and the Georgia Education Assn.

State Rep. Howard T. Overby of Hall county, chairman of the powerful House State of the Republic Committee, said he has not relaxed his opposition to the repeal movement.

"I feel the same way now that I did about it last year," Overby said. "I think it would be a heavy blow to the children of the state. Attendance would be cut by 10 or 15 per cent which would mean a reduction in teachers and school funds."

Rep. W. Colbert Hawkins of Screven county, Griffin's leader in the House who was inclined toward repeal a year ago, now feels the law should be left as it is.

As the law now stands, parents are required by law to send their children between the ages of seven and 16 to school—either public or private. But the Legislature last year authorized the governor to suspend the law, either for the entire state or for a particular school district, if that should become necessary to protect persons and property and to preserve the general welfare.

The new proviso would permit the governor to suspend the law in any school district that might be forced to integrate its schools under a federal court order.

LEGALITY DOUBTED

However, some legal experts question the legality of the new suspension provision. They say it might be held to be an unlawful delegation of legislative power to the governor.

Some experts feel, too, that there should be no law on the books requiring children to attend school—public or private—in the event the state has to resort to the private school idea to avoid integration. Such a law, they fear, might be used to try to show a link between the state government and the private schools. To stand up in court, the private school plan must really be private, with no state connection.

However, there is another viewpoint that the present law, together with the suspension proviso voted by the Legislature last year, in no way threatens the state's segregation defenses.

DROP IN FUNDS

Without the law, school leaders argue, there would be a certain drop in attendance. This would mean a drop in state school funds to counties showing attendance losses. Most state school spending is based on average daily attendance.

Whether or not a repeal attempt will get any further this year than last will depend on its support. Unless the governor and the Georgia Commission on Education get behind it, repeal of the attendance requirement is unlikely.

Griffin's and the commission's position on the issue should become known Friday. The governor has called a meeting of the anti-integration agency for a "general discussion" of segregation matters. No other major school segregation legislation has so far been suggested.

Dismissal Of School Suit Sought

Daily World
Atlanta Ga.
Fri. 3-14-58
P. 1

A suit brought by ten Negro parents ~~on behalf~~ of 29 children asking an end to Atlanta's segregated public schools has been requested to be tossed out of federal court here by the Atlanta Board of Education.

Dismissal was asked on the grounds that the Negro plaintiffs haven't shown racial discrimination in the city schools. At present there are no integrated classes and a state law is in effect which threatens to cut off funds to any school system that mixes classes.

Georgia, Alabama, Mississippi and South Carolina are listed as among the states where not even token integration has taken place despite the May 17, 1954, U. S. Supreme Court decision outlawing segregation in schools.

PLEA OF ATTORNEYS

In the plea for dismissal by City attorneys Jack Savage, Newell Edenfield, and special counsel B. D. (Buck) Murphy, it was alleged that the suit filed Jan. 11 with Judge Frank A. Hooper stated that the petitioners have failed to exhaust "administrative remedies" and that "it does not appear that the plaintiffs have been denied admission to any school on the account of color."

The National Association for the Advancement of Colored People over a period of months has sought to cooperate with the Board of Education towards means of ending school segregation. Various studies have been completed towards this end from national agencies, but after completion reached a dead-end after being submitted to the board.

ASKED INJUNCTION

The Negro parents in bringing suit against the city school board asked a federal court injunction against operation of segregated schools in the city.

The Atlanta Board of Education in asking that the suit be thrown out disputed (1) that the plaintiffs have been denied admission to any school on the basis of race or color or (2) that the plaintiffs have sought a hearing before either the city school board or the State Board of Education on the matter of admission of individual Negro pupils to white schools.

"NO CONTROVERSY"

The dismissal writ contended that "no controversy of a justifiable nature" now exists on the desegregation matter.

Board attorneys contended that the plaintiffs had come into court with a class suit and maintained the matter should have been handled on a personal individual basis.

The motion further alleges "the plaintiffs merely seek to enjoin the operation of segregated schools and to have the court rule that each minor plaintiff is entitled to attend the school of his choice without showing that such (choice) has ever been denied."

Fri. 3-14-58

The suit against the Atlanta board, filed with NAACP backing, cited written petitions to the board asking for reorganization of the city schools on a non-segregated basis. It claimed the board "failed and refused' to declare its intent to integrate schools.

Daily World P. 1

14d(1) 1958 GEORGIA

'Chatter' Keeps Pot Boiling Over Lanier Bus Affair

'I Blew My Top and Shut Up,' Says Father of Lad Involved

14d(1)

By MARGARET SHANNON

Atlanta Journal-Constitution Staff Writer

LAKELAND, Ga., March 1—Somebody is making trouble in this deep south Georgia county, but the father of a white boy who rode a Negro school bus says it is not he.

Constitution P1

Sun. 3-2-58

"I thought it was all over," said Paul Taylor of the Knight community, a red-headed, [illegible]-year-old farmer. "I blew my top and shut up.

Atlanta Ga

"I [illegible] that with [illegible] white and Negro thing the way it is, you can't prank around with it. I said my piece and I was satisfied to let it go at that.

"But three or four men out here in this community kept talking this thing up and making a big thing out of it. I've pretty well kept my mouth shut."

The incident which has Lanier County in a stew occurred before Christmas and involved Mr. Taylor's son Pat, 9-year-old fourth grader in the Lakeland school.

* * *

THE SITUATION grew out of a series of little mishaps that, save for the consequences, could best be described as a comedy of errors.

It started when Pat's teacher, Mrs. A. B. Baskin, inadvertantly kept the grade a little late on a day school was being dismissed early for a funeral. The school buses went off without Mrs. Baskin's pupils.

Two other teachers and Mrs. Baskin were to take them home, but Mrs. Baskin's car had a flat tire. She stopped a passing school bus. It turned out to be a Negro bus which went near Pat's house.

* * *

MRS. BASKIN says she asked him if he thought it would be all right for him to ride the bus and Pat replied, "Yes'm, I reckon so." Off he rode to the northern part of the county. Later, when the tire was fixed, Mrs. Baskin took the two boys left to their homes in the eastern section of Lanier.

Before Pat got home, however, his mother started for him in the family truck. It bogged down on a country road and she had trouble getting help.

Mr. Taylor says he saw Pat get off the Negro bus and didn't think much about it at the time. He began to worry, though, when his wife didn't come back within a reasonable period.

He set out in a neighbor's car to look for her. While he was looking, she finally got help and went back home. It was night, he said, before the mixup was straightened out.

* * *

"I WAS boiling by then, I guess," Mr. Taylor said, "and I went to Mr. Threatte's—went to his house—and said what I thought of the whole business. As far as I was concerned, that ended it."

Mr. Threatte—County Supt. J. W. Threatte—suggested to Mrs. Baskin that she apologize, but she didn't get around to see the Taylors during the Christmas holidays.

In that interim, the "talking up" Mr. Taylor speaks of took place. Mrs. Baskin later did apologize to the Taylors and they signed a statement absolving her.

In fact, even before they signed this statement, Mrs. Baskin received a note from Mrs. Taylor saying she didn't think her husband intended to push the matter.

The note added that Pat didn't want his teacher to quit.

* * *

BUT THE ferment continued, and after a conference between Mrs. Baskin and three school officials—Mr. Threatte; Wallace Thigpen, county school board chairman and Lakeland hardware merchant, and John Crum, board vice chairman and southwest district secretary of the YMCA—Mrs. Baskin resigned.

Constitution

P6

Atlanta Ga

The conference took place in her living room on the night of Jan. 17 with her husband, a farmer, present. Mrs. Baskin is 64, her husband 69. They live on a farm near Ray City that has been in his family for many years.

Later, on looking back, Mrs. Baskin decided she was forced into resigning. Mr. Threatte, Mr. Thigpen and Mr. Crum do not consider that she was.

* * *

SHE HAS applied for reinstatement, and the matter should come up at a county school board meeting Monday.

Sun. 3-2-58

14d(1)

Mrs. Baskin says she might have stayed resigned if all sorts of rumors and gossip had not been spread abroad. When it reached what seemed to her alarming proportions, she decided to make a fight of it.

This plainly has agitated Mr. Crum, Mr. Threatte and Mr. Thigpen—Mr. Crum possibly most and Mr. Threatte next in degree. Mr. Thigpen does not say much.

They have felt the pressure of the "talking up" Mr. Taylor describes. The have felt, also, pressure from outside Lanier County.

"Why we even had a delegation of five men from Berrien County come to see me about this," Mr. Mr. Threatte says.

* * *

MR. CRUM seems most fearful that the isolated incident could be considered a violation of state school segregation laws and lose Lanier all its state funds forthwith.

He is concerned about what Gav. Griffin and the Georgia State's Rights Council might think.

"You know yourself," he said, "that a lot of high state officials belong to the State's Rights Council."

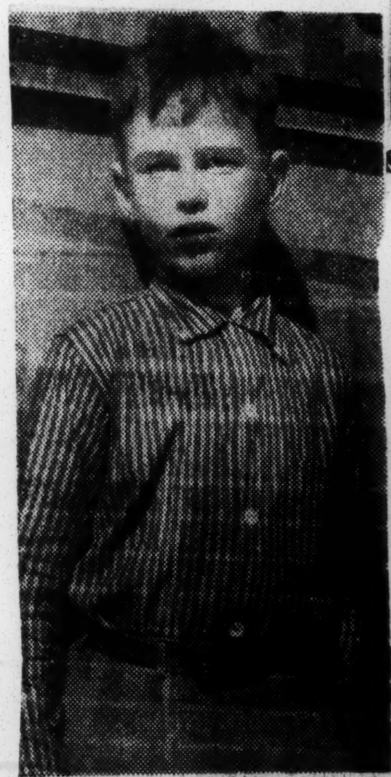
Mr. Crum lives on a Lanier County farm. His work with the high school activities of the YMCA takes him over a large area. His father was a school board member for many years before him.

He spoke glowingly of the work the Rev. W. T. Bodenhamer of Ty Ty once did for the YMCA in organizing southeast Georgia. Mr. Bodenhamer is now executive secretary of the State's Rights Council, a member of the State Board of Education and a member of the Georgia House of Representatives.

* * *

THE CASE of Mrs. Baskin may reach the State Board of Education. If her reinstatement plea is rejected by the county board, she could appeal.

There is one point on which the



PAT TAYLOR

Ride Home Started Something

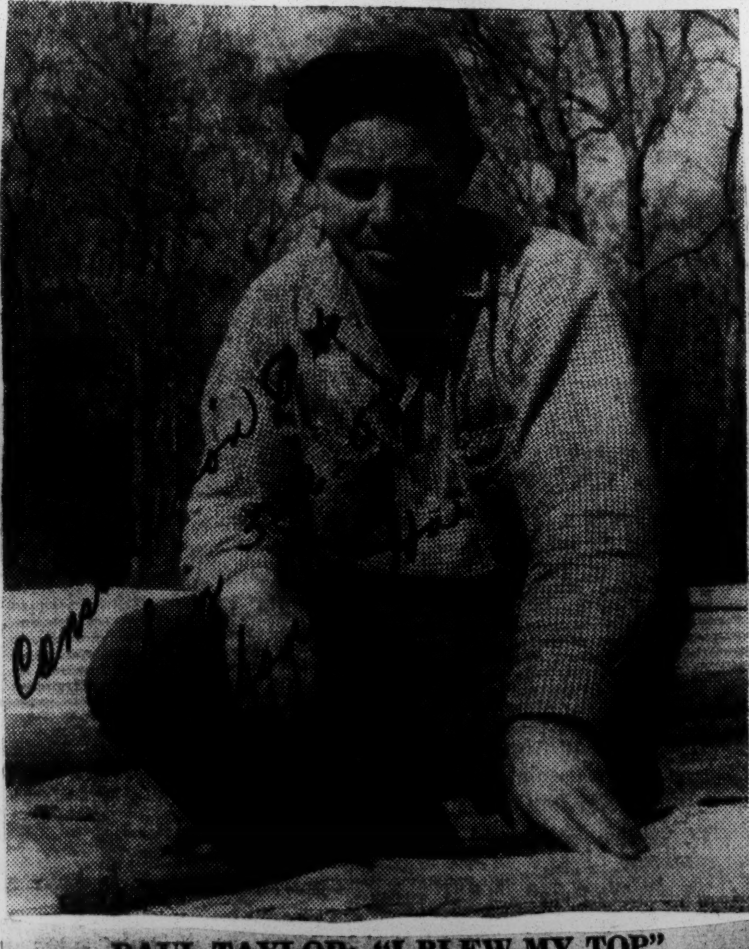
P. 6-A

-2-58

Staff Photos—Margaret Shannon

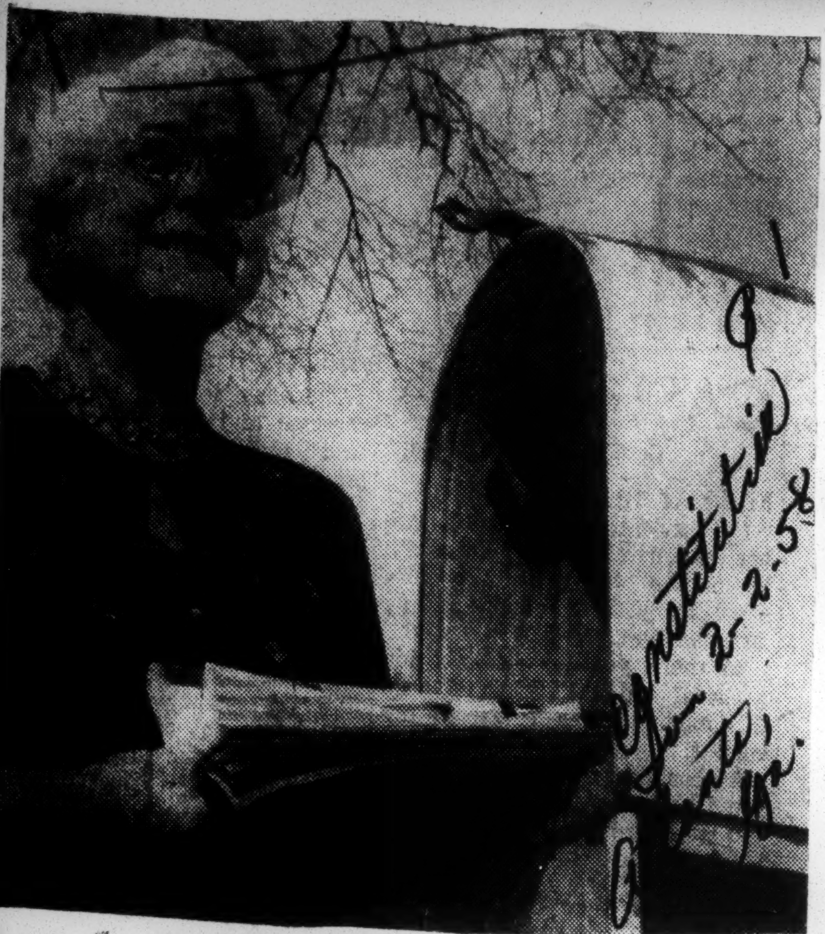
SCHOOL OFFICIALS WHO TALKED TO TEACHER

Left to Right: Threatte, Thigpen and Crum



PAUL TAYLOR: "I BLEW MY TOP"

His Boy Rode Bus for Negroes



Constitution P. 1
Sun. 2-2-58
Atlanta, Ga.

principals on both sides of the ruckus seem to agree: They all got more than they bargained for.

School officials know Mrs. Baskin is not an integrationist. They say they know she is not.

"They couldn't say anything else," she says.

And Paul Taylor, working his farm, worrying about how late tobacco is going to be this year, indicates that Pat now views his ride on the Negro bus as something of an adventure.

"He won't talk about it to me much—he knows I got mad," the red-headed farmer says. "But I hear him talking to his mother, telling how those Negro kids acted and all that. He rode it an hour, I reckon.

"The bus usually goes by down there"—he pointed to a crossroads about half a mile from the Taylor home—"but that day the Negro driver came this way and let Pat off right in front of our house."

"No Discrimination" Terrell County Plea

Atlanta World
Atlanta, Ga.
14 Ed/Ga
Thurs. 6-26-58

DAWSON, Ga. — The transfer of furnishings and equipment from Negro to white schools in Terrell County was done without discriminatory motivation and the County School Board has assumed full responsibility for the action.

Moving of refrigerators from the cafeterias, furnishings in the teachers' lounges, desks in offices and some desks in classrooms at the Lillie Cooper Elementary School and the Terrell Negro High School, came to light following the protests of Negro parents to the State School Building Authority.

P. 1

However, the Terrell Board in a special session defended County School Superintendent Frank Christie following the disclosure that the School Building Authority was withholding $32,316.78 in unspent funds allocated to the system until the equipment is returned. The money withheld amounts to $17,762.15 in a contingency fund and $13,554.63 which is unappropriated for equipment.

NATION'S SPOTLIGHT

Dawson was the nation's spotlight following a Washington Post and Times-Herald report that Negroes live in an "atmosphere of fear" as an aftermath of the slaying of two Negroes by police and trepidation brought on by a police-enforced curfew.

Furnishings taken from the Negro schools are being used in white schools and in the superintendent's office. The school chief pledged twice in writing to return the equipment but finally said he did not intend to do so.

The Terrell board in denying charges of discrimination said:

World

This furniture and equipment was removed from some colored schools to other colored schools as well as from white schools to other white schools and also from white schools to colored schools.

P. 4

"No discrimination was made in the transfer of any of this equipment as between colored schools and the white schools. The sole and only consideration in transferring the equipment from one school to another was solely in account of the usage and needs of the same for the particular school.

APPROVED BY BOARD

The statement said "All of this action was approved by the board of education and the school superintendent was directed to relocate and transfer same."

Negroes vehemently deny this and charge that the sole factor surrounding the transfer was discrimination. There is widespread belief that board officials thought the newly-purchase furniture and equipment "too good for Negroes."

Authority Secretary John Sims recently warned Terrell officials that "Bonds sold to finance school construction had to be protected and there must be no interference with the lein rights of the purchasers of the bonds."

Mixing Trial By Next Fall Assured Here

Atlanta Constitution

Negroes seeking an end to segregation in Atlanta public schools have been promised a federal court trial in time for a decision and an appeal in their case before the September, 1959, school term.

U.S. District Court Judges Boyd Sloan and Frank Hooper both filed the order assuring early disposition of the case.

Atlanta, Ga.
14 Ed Ga
Thurs. 9-25-58

The integration suit was filed in January, 1958, by 10 parents of 28 Negro children attending Atlanta public schools. The suit seeks a court order forbidding the Atlanta Board of Education from operating racially segregated public schools.

The plaintiffs, represented by Thurgood Marshall, attorney for the National Association for the Advancement of Colored People, contend they are being denied equal protection under the law as provided by the 14th Amendment.

P. 1

A number of legal maneuvers kept the case off the court docket until July 28, 1958, when the plaintiffs filed a motion for an advancement of the trial. The judges ruled then that not enough time remained before the opening of school to settle the case.

The judges' new order promises a trial "at such time as will result in a decision prior to the September, 1959, opening of Atlanta schools, and in time for an appeal by either side prior to such opening." The order was made part of the court dossier on the case.

Griffin Hails Little Rock in 'Freedom Day'

Constitution
14 Ed Ga
Atlanta, Ga.
Thurs. [illegible]-58

Gov. Griffin proclaimed Wednesday as "Little Rock Freedom Fighters Day" in Georgia in appreciation of that city's "great fight for freedom under constitutional government."

Griffin, in his formal proclamation, praised the people of Little Rock for "resisting the forced mixing of their public schools and demonstrating a courage and devotion to principle that is an inspiration to all lovers of freedom and justice."

P. 1

Griffin also accused the Supreme Court of foisting "undemocratic foreign ideologies upon the people of the South."

Georgia Has Firm Segregation Stand

14 Ed Ga

Griffin Says Atlanta Mayor Can't Throw In Towel

Commercial Appeal
Memphis, Tenn.
Sun. 11-16-58

ATLANTA, Nov. 15.—(AP)— Gov. Marvin Griffin insisted Saturday that Georgians are more resolute than ever on the segregation question and said "the mayor of Atlanta cannot throw in the towel for me or any other Georgian."

His statement at a special news conference was prompted by Mayor William B. Hartsfield's proposal Friday that Atlanta voters be allowed to decide whether to close schools rather than integrate them.

Earlier, Lt. Gov. Ernest Vandiver, who will succeed Mr. Griffin as governor next year, without mentioning Mr. Hartsfield's proposal directly, said he has been conferring with attorneys and will have recommendations of his own to make to the 1959 legislature.

P. 5

In a prepared statement to the news conference, Gov. Griffin declared "I firmly believe that the people of Georgia are more resolute today than ever before to protect the sovereignty of this state.

ballot box in approving a constitutional amendment preserving segregated schools.

"I am convinced that an attempt to integrate any school in any county of Georgia will be met with unprecedented resistance.

"On the whole subject of school integration, the people of Georgia have already spoken at the

Legislators Shun School Sale Bill

14d(1) Ga

By CHARLES MOORE

Atlanta Constitution

Members of the Fulton County legislative delegation Thursday backed away from any proposed standby law to sell Atlanta's public schools.

Several of the delegation, meeting to hear public officials and citizens on proposed laws, reported receiving many telephone calls after attorney Moreton Rolleston Jr. was asked Wednesday to draft a bill to sell the schools to private non-profit corporations.

Fri. 11-14-58

Rep. Wilson Brooks said that such a request by a member of the delegation did not mean it would receive his support.

"It is erroneous to suppose I would support the premature legislation for the sale of our school property thereby eliminating in whole or in part our public school system in Atlanta," Brooks said.

An Atlanta housewife appeared before the delegation to say she wanted the schools kept open "under any conditions."

Mrs. Edmund Phillips, 750 Moore's Mill Rd., NW, the mother of two children, said she represented no group and was there "just to stand up for the public schools."

She said a private school plan would mean many children from low income families would fail to receive an education. Mrs. Phillips said it would be a crime if even one child failed to go to school because they are closed because of integration.

Miss Mildred Kingloff, a lawyer attending the session on another matter, said she admired Mrs. Phillips' spirit in appearing in support of keeping the schools open. "The people must speak and give courage to our leaders," she added.

Constitution

"This idea of private schools and selling our public schools will not work," Miss Kingloff said.

14d(1) Ga

Rep. M. M. (Muggsy) Smith said, "I am not wedded to any particular plan, and I realize the terrible difficulties involved. However, I do think that somebody should make an effort to save Atlanta's schools, and particularly for the great majority of our citizens who cannot afford expensive private tuition."

Fri. 11-14-58

Smith predicted that Atlanta's schools would not open next September, under state law, because a federal court will have ordered them integrated.

And he predicted that all would be closed.

Rep. Ralph McClelland said, "I think our foremost purpose should be to find some way to protect and preserve our public schools . . . any plan which is advanced and which will provide an education for all the children in Georgia should receive careful consideration."

Warns Negroes To Ease Fight

14d(1)

ATLANTA — (UPI) — Gov.-elect Ernest Vandiver warned that public education for both white and Negro children may be destroyed unless Negro leaders halt their efforts to integrate white schools.

In an interview with the Atlanta Journal-Constitution, the incoming governor called on the state's Negro leadership to call off their legal efforts to force integration.

Vandiver declared that "precipitate action" to break down school segregation "will wipe out gains in racial harmony and understanding which have been made in Georgia over a period of many years."

Sat 11-15-58

Governor Has Authority To Close Schools, Atty. Says

Atlanta World

14d(1)

Under Georgia law the governor has authority to close all schools by executive order and may also suspend the state compulsory school law if the court orders integration, Attorney Newell Edenfield, associate city attorney, said Monday night at the regular monthly meeting of the Atlanta Board of Education.

Atlanta Ga.

Speaking as counsel for the school board, Attorney Edenfield discussed statutes dealing with integration and segregation and attempted to answer in a general way some of the questions directed to the Board of Education by the League of Women Voters of Atlanta.

Tues 11-11-58

'WHAT WILL HAPPEN TO OUR SCHOOLS?'

Mrs. William S. Shelfer, representing the League of Women Voters, presented ten questions to the Board. She pointed out that many Atlanta citizens want to know what will happen to to the schools if the courts order integration? Will every school in Atlanta be closed?

The questions indicated a concern not only for the children and the schools, but also the teachers, as well as federal funds and grants from foundations now coming into the State.

The League also asked: What will happen to the buildings? Will we lose our accreditation? What will happen to the Board of Education should they obey a federal court order to integrate the schools? What course of action would the Board advise the parents of Atlanta to take to insure public schools next fall?

Discussing what the suit involves, Attorney Edenfield said the suit seeks to enjoin the Board from operating the Atlanta Public School System on a racially segregated basis. He then explained several statutes passed by the state legislature in 1958 including one provision of the state appropriations act [illegible] another which makes it a felony for a school board to attempt to operate integrated schools.

Tues 11-11-58

In presenting Attorney Edenfield, Board President A. C. Latimer explained that the Board is in litigation and did not want to do anything that will prejudice the suit.

DR. JARRELL POINTS TO CRITICAL NEEDS

In her monthly report to the Board, Dr. Ira Jarrell, superintendent, presented a list of critical needs. In this connection it was recommended that the Board continue its efforts to get a suitable site for the proposed Westside High School. She also pointed to other critical areas, where action is being delayed because of the urban renewal development program.

14d(1) Ga

On recommendation of Dr. Jarrell, M. R. Austell, of the English Department at the David T. Howard School, was elected principal of the Rockdale School, replacing Kennon Thompson, now principal of the New Collier Heights School.

Mr. Austell, who received both the bachelor and masters degrees [illegible] Atlanta University, served on the faculty of Booker T. Washington High School from 1928 to 1943. For two years, he was supervisor of practice teaching at Washington High for Atlanta University. Since 1943 he served as a teacher at Howard and during recent years also worked as coordinator of the student teaching program.

An added feature for the November meeting of the Board was an excellent report by Miss Lillian Lee, acting program director of Radio Station WABE. Miss Lee discussed the radio program both for the students and its extended program for adults.

Teacher Suggests Integration Start

Constitution

Oxford—Having moved to Georgia from Michigan only four years ago, I have followed the integration-segregation controversy as a non-Southerner and I would not want to be identified in the issue. (I gather that my being a Northerner rather neutralizes anything I would have to say anyway.)

P.A.

But a solution to some of the objections to complying with the Supreme Court would be school integration on a percentage or quota basis: let a white school or first grade admit from the colored group 1 or 5 or 10 per cent of the white membership. The few colored could be selected according to ability.

Fri 11-14-58
Atlanta Ga

This plan would meet the serious objection about excessive numbers of colored in some districts and also the fear that schools would be downgraded by the admission of large numbers of colored students ill-prepared for the studies.

Has this method been suggested? Could a district seriously object to it except by rigid belief in racial segregation? Would it not satisfy the court's order, as a beginning?

14d(1)

A GEORGIA TEACHER.

Georgia Girds for School Fight

By JACK NELSON

Atlanta Journal

Constitution

Atlanta, Ga.

4-29-58

~~4-30-58~~

P 1E

In Georgia's stockpile of plans to fight integration of public schools is one final, drastic proposal—the outright sale of schools to private interests.

The sale of any school under federal orders to integrate would be authorized under legislation already prepared and ready for introduction in the General Assembly if the need arises.

It seems unlikely that the state would go through with the complete abandonment of public education. Even the constitutional amendment which provided for leasing of public schools to private firms ran into considerable opposition. It was ratified in November, 1954, by a vote of 210,488 to 181,148.

However, the school-selling bill has been drawn because Georgia's political leaders are committed to a last-ditch fight against integration.

And the bill may well be introduced in the General Assembly during the administration of Gov.-nominate Ernest Vandiver, who has pledged there will be no mixing of the races in schools "come hell or high water."

* * *

EVEN THE MOST OPTIMISTIC of Georgia's segregation leaders know that the school segregation showdown in this state is drawing near. And even the staunchest segregationists know that the U.S. Supreme Court is likely to strike down any private school plan.

The politicians voice their concern in off-the-record discussions because it would be "bad politics" to be quoted as saying what they think. This is the principal reason that the general public is not familiar with the impending crisis on the Georgia school front.

One of the state's top officials, a vigorous proponent of segregation, once said he thought the private school plan could successfully circumvent the Supreme Court's school decision. Now he thinks it would be ruled unconstitutional.

"The trend of court decisions shows that any private school plan probably would be ruled out by the courts," he said. As an example, he pointed out that the U.S. 5th Circuit Court of Appeals ruled in a Texas case that segregation was illegal in a county government cafeteria even thought the cafeteria was leased to a private firm.

This same official said he thought the only solution to the problem of maintaining segregated educational facilities in Georgia would be to sell them outright to private interests. He hastened to point out that he was not proposing such a drastic move. And he said he doubted the General Assembly would pass such a bill.

* * *

A "SHOWDOWN" IN GEORGIA is likely to come in the case pending against the Georgia State College of Business Administration in federal district court here. Trial of the case, in which a group of Negroes seeks entrance to the college, is scheduled in December.

Assuming that integration is ordered—as it is almost certain to be—the maximum delay in the effective date of the order probably would be two years.

In other words, in two years Georgia faces the probability of closing the college or admitting Negroes.

Another school integration case with a decision on the horizon is the one by 28 Negro children seeking admission to Atlanta white schools. U.S. District Court Judges Boyd Sloan and Frank Hooper last week filed an order promising an early trial, soon enough for "a decision prior to the September, 1959, opening of Atlanta schools, and in time for an appeal by either side prior to such opening."

In the unlikely event that Georgia's private school plan stands up under court tests, the myriad of problems it would encounter probably would make it an impractical and ineffective method of mass education.

* * *

AND GEORGIA WOULD RUN INTO a huge financial headache peculiar to this state. It would result from the $275,000,000 in revenue certificates issued by the Georgia School Building Authority.

State funds are used by counties to pay off revenue certificates which were sold to finance authority school buildings. Therefore, these buildings probably could not operate as private schools—even under a court-sanctioned private school plan—as long as state funds are used to pay the revenue certificates.

To get around this thorny problem, the state probably would have to float a general bond issue to pay off the indebtedness. And because the State Constitution prohibits any general bond issue, this could be done only after the ratification of a constitutional amendment.

The financing of school construction throughout the South already has become more difficult and expensive because of the battles over segregation.

The New York Times reported that when the problem first became a burning issue in the South a couple of years ago, "there was a general decline in the prices of bonds that had been issued by local school districts. Fearing the effects of litigation and controversy on the security of their investment, many institutional bond holders began to dump Southern school issues.

* * *

"SINCE THEN, THERE HAS BEEN a gradual price revival, but communities all over the South still have to pay stiffer interest on their school borrowings than they would if segregation was not a problem. The reason is a simple supply-demand relationship: fewer investors are interested in Southern school 'names' than there once were."

Any private school plan—even if upheld by the courts—would further complicate the problems of financing school construction.

Actually, Georgia's "private school plan" is little more than a 45-word constitutional amendment, supported by several enabling acts.

And if Georgia today faced the situation now confronting Arkansas and Virginia, the confusion here probably would be as great as it is in those two states. For what this state's course would be, no one really knows.

The private school amendment is permissive. It reads: "Notwithstanding any other provision of this Constitution, the General Assembly may by law provide for grants of state, county or municipal funds to citizens of the state for educational purposes, in discharge of all obligation of the state to provide adequate education for its citizens."

* * *

THIS WAS THE AMENDMENT that Sen. Herman Talmadge, then governor, and Gov. Marvin Griffin, then lieutenant governor, called "the most important amendment ever submitted in our lifetime."

Atty. Gen. Eugene Cook joined in urging that the people ratify the amendment, which was fathered by Talmadge and vigorously supported by Griffin. At that time Cook said the plan is "the one plan I know to be legally beyond court attack." He said if the amendment was ratified, "Georgia can preserve segregated public schools until doomsday." But since these claims were made, Supreme Court decisions have indicated the private school plan is legally doomed.

Assume, however, that a Georgia school in a city system is under court order to integrate now. What would happen? How would the private school plan work?

Atty. Gen. Cook points out that state funds for such a school would be immediately cut off because of a constitutional provision that school taxes are earmarked for segregated schools.

Cook said, "there is no question but that there are qualified people ready and willing to form corporations to lease such schools."

He predicted that in the event of such an integration situation, such corporations would be "rapidly formed."

* * *

UNDER A 1956 GEORGIA LAW, the governor would close the school where integration is ordered. Students of the school then would be entitled to receive an "educational grant" from the state each year.

The law provides the grant shall be calculated annually "as may be provided for by the order of the governor."

The state grant per pupil would equal the amount the state had been appropriating per pupil to the local school system. The law also empowers the local school system to make similar grants.

One of the serious problems involved in such a plan would be the question of whether private school operators would try to make a profit at the expense of the educational program. Atty. Gen. Cook says the state would not condone a profit-making operation, but how could this be prevented?

Another financial headache would be the annual loss of about $1,000,000 in federal funds for vocational work in Georgia, $2,000,000 for school lunches, $2,000,000 for rehabilitation school program and other federal tax money.

* * *

EVEN WHEN ARGUING for the resolution on the private school amendment in November, 1953, Talmadge administration leaders frankly admitted they had no solution to the problem of maintaining segregation in schools.

Many observers, including strong segregationists, believe the problem is no closer to solution now.

The outright destruction of the Georgia public school system, which has assets totaling more than $700,000,000, would seem to be the only certain way of circumventing the Supreme Court decision. A bill which would do just that—the school-selling measure—is ready for legislative action just in case.

If the private plans of Arkansas and Virginia are knocked down, the chances are that Georgians, through their elected representatives, will face the unpleasant dilemma of limited integration in public schools or destruction of the public school system.

School Sales Called Legal By Talmadge

14d(1), Ga

By ALBERT RILEY
Constitution Washington Bureau

Atlanta Constitution

WASHINGTON—Sen. Talmadge declined to say that he thinks existing Georgia laws will be adequate to prevent racial integration of the schools.

"I wouldn't go that far," Talmadge said Thursday in answer to queries as to whether the present state laws will be sufficient to bar race mixing.

Atlanta Ga.

The Supreme Court, he said, has thrown many obstacles in the path of the private school plan Talmadge espoused when he was governor in Georgia as an effort to block integration.

Fri. 11-14-58

However, Talmadge said he thinks Georgia counties legally can sell their school buildings for private, segregated use, although the federal judiciary has ruled that a public school cannot be leased to a private corporation for use as an all-white institution.

P. 1

The senator said he also is confident that the state of Georgia "can make grants to people to attend private schools of their choice, so long as the grants are made uniform."

Pointing out that integration suits are pending against the Atlanta school system and Georgia State College in Atlanta, Talmadge said the state will be faced with a showdown on the issue next September.

The senator, however, declined to say whether he thinks Georgia laws need reappraisal in the light of court decisions in Little Rock and Virginia and in view of a developing reappraisal of Virginia's "massive resistance" program.

The problem of meeting the test next September, he said, will be up to the governor and the Legislature.

Talmadge pointed out that he no longer is governor of Georgia and that the incoming governor and Legislature are competent to deal with the situation.

During his tenure as the state's chief executive, Talmadge was the first of the Southern governors to propose a system of private schools and tuition grants to preserve segregation.

Constitution

BEFORE RULING

But this was even before the 1954 Supreme Court ruling that outlawed segregated public schools, and Talmadge and his advisers then believed the state could lease its school buildings for private use.

Fri. 11-14-58

They apparently did not anticipate that the federal courts would hold that public schools could not be leased for Private segregated use as has been ruled in the Little Rock case. "Apparently the Supreme Court has said we can't use public schools for private use," Talmadge said, "but there is nothing to prevent their sale. It could be done by the counties on a uniform basis."

The senator said there is nothing to prevent the state from spending money on tuition grants to individuals. The state, he said, already is making grants of public funds to old people, the handicapped, and to dependent children. It also makes tuition grants under the Southern Regional Education Program to college students for study in other states.

Talmadge said is would be legal for the state to give grants to "red-headed people, knock-kneed people, or to young people with one big toe" if it wanted to do so.

"I am confident," he said, "that the state of Georiga can make grants to people to attend private schools of their choice so long as the grants are made uniformly."

Talmadge said he never has regarded the private school plan as "an ideal solution," but that he regarded it as "a choice between two evils" and supported it vigorously.

The senator described the Supreme Court's decision in the Little Rock case, ordering integration to proceed there, as "the most preposterous I ever saw in my life."

He declared that he has never seen Georgians any madder over anything except the Japanese attack on Pearl Harbor on Dec. 7, 1941.

"They feel there has been a judicial rape of the Constitution in a series of (court) opinions," Talmadge said.

"We fought Great Britain," he said, "for about five per cent of the tyranny imposed on us during the past few years."

In a press conference with seven newsmen Talmadge said he will fight an attempt by Northern liberals next January to change Senate rules so as to limit debate and end filibusters.

The senator and Mrs. Talmadge stopped in Washington en route to Paris to attend a meeting of the North Atlantic Treaty Organization's parliamentary conference. Talmadge was designated as a member of the Senate delegation which also includes Senators Green (D-RI), Kefauver (D-Tenn), Bridges (R-NH), Kuchel (R-Calif), Hruska (R-Neb), and Javits (R-NY). Although Talmadge went to South America on Senate business a few months ago and served in the Pacific during World War II, this will be his first trip to Europe.

GRIFFIN PLEDGES INTEGRATION BAN

14d(1)

Warns the Mayor of Atlanta Georgia Will Prevent Any Mixing in City Schools

New York Times

ATLANTA, Nov. 15 (UPI)—Gov. Marvin Griffin called an unusual Saturday morning news conference today to announce that the State of Georgia would not permit integration of Atlanta public schools under any circumstances.

New York, N.Y.

"The Mayor of Atlanta cannot throw in the towel for me or any other Georgian," Governor Griffin asserted.

"I am convinced that an attempt to integrate any school in any county of Georgia will be met with unprecedented resistance."

Sun. 11-16-58

Georgia voters have approved a constitutional amendment favoring complete segregation of the state's schools. However, Mayor William B. Hartsfield of Atlanta has urged a "local option" vote on the issue.

P. 46

"The people of Georgia have spoken," Mr. Griffin said, "and I am not interested in what Bill Hartsfield or others who are soft have to say."

Most authorities agree that Atlanta probably will be faced with integration orders from Federal courts by next September. Two pro-integration suits have been filed in Federal court in Atlanta. One of the suits would affect every public school in the city. The other involves the Georgia State College of Business Administration, a state-operated college in the city.

Governor Griffin said that resistance to any integration move in Atlanta would come from the state administration and from a "a majority" of the people.

"On the whole subject of school integration, the people of Georgia have spoken at the ballot box in approving a constitutional amendment preserving segregated schools," he said.

He said he would be glad to sit down to try to reach a solution of the critical Atlanta issue with "anyone wiling and who does not want to trow in the towel." That includes Mayor Hartsfield, he said, but only if the Mayor wants to preserve segregation.

Mr. Griffin said that some form of private school plan would work within the framework of the law in Georgia, but he declined to say whether any such plan had been formulated.

"Something is going to have to be done to preserve constitutional government," he said. "Georgia and some other Southern states are the last bulwark."

Hartsfield, Griffin in School Row

By BRUCE GALPHIN

Atlanta

Gov. Griffin asserted Monday that he has heard reports of a "blueprint" to integrate Atlanta schools.

Constitution

Mayor Hartsfield promptly labeled it a "demagoguic and false statement that was made in a crude attempt to stir up racial passions among the patrons of the schools."

14d(1)

Griffin said that according to his information, Joe Brown and Harris would be the first schools integrated under the "blueprint."

Atlanta Ga.

PHONE CALLS

The report came to him, Griffin said, in telephone calls from school teachers.

Ga

Asked whose "blueprint" it was supposed to be, Griffin answered: "I suppose they mean the Atlanta newspapers, Muggsy Smith, Billy Hartsfield, et al."

Tue. 12-9-58

Hartsfield said in a statement that "if the governor had any real concern for Atlanta teachers and patrons, he would let them have the right to decide for themselves the fate of their own schools.

VILE CHARGES

P. 38

"When demagogues, who have for years lived off of stirring up hatred against Atlanta, utter their vile charges against those who are only advocating civil decency, I hope the people of Georgia will remember the famous words of Ralph Waldo Emerson, who once wrote: 'What you are, shouts to me so loudly, that I cannot hear what you say,'" the mayor said.

Griffin volunteered the information about the integration rumor while criticizing the "Press Gallery" program sponsored Sunday by The Atlanta Constitution and WSB-TV.

"It seems to be taboo to talk about this integration business," he declared. (The program, featuring Gov.-elect Vandiver's floor leaders, Sen. Carl Sanders and Rep. Frank Twitty, discussed reorganization and economy problems but did not touch on segregation.)

HITS HINT

Griffin also was critical of Twitty's hint that some 500 employes may be dropped from the Revenue Department payrolls.

"The residue that was left from the discussion was that (Commissioner T. V.) Williams had put on 500 useless employes," the governor asserted.

"I would certainly like to see 500 cut from the number if it can be done," Griffin said. He strongly indicated he did not think it could be done.

Griffin interrupted his press conference to ask his secretary to write each state agency head to obtain sworn statements about the number of employes each had.

ROAD MONEY

Later in the day the governor's office announced that there were 128 more revenue employes now than on Dec. 1, 1954.

Griffin also objected to the new floor leaders' criticism of the Rural Roads program. He said they "left the inference that any county that didn't support me didn't get any road money."

"That's just the barnyard variety of lie," he asserted.

The governor said Twitty's home county, Mitchell, "got as much money as most country counties." And Sanders' county, Richmond, got more road money during the past four years than in all the rest of the Highway Department's history, he added.

CABIN PROBE

Griffin also lashed out at investigations of his cabin in Rabun County (presumably conducted by Fulton Special Solicitor Paul Cadenhead's staff).

"I nderstand there have been so many investigators up there they about tromped down my dogwoods," Griffin said. "I'll give 'em the key next time if they'll let me know."

Griffin said he had been given the land by friends and had paid for the cottage himself.

Atlanta White Ministers Urge No School Closings

Atlanta

World

14d

Three hundred and twelve Atlanta clergymen, 80 of whom signed the widely-hailed statement, often referred to as "The Atlanta Manifesto" of Nov. 3, 1957, Saturday released a new, broad and challenging six-point statement of principles for dealing with the South's racial crisis.

Atlanta, Ga.

The principles advocated by the ministers deal with freedom of speech, obligation to obey the law, preservation of public schools, racial hatred, communication between the races and obedience to the will of God. They were the broadest yet affirmed by the white ministry in Georgia.

Sat 11-29-58

In the six-point declaration the ministers asked the appointment of a "Citizens' Commission by the state administration," which would "serve to preserve harmony among the citizens of Georgia."

Georgians were called upon as citizens to unite the clergymen in "dedicating ourselves to the solution of problems humbly, patiently, in a spirit of realism, and with God's help."

21

DEEPENING DANGER

The second statement of Atlanta clergymen noted: "The months which have elapsed since the signing of that statement (The Atlanta Manifesto) have been a period of deepening danger. The events of the recent past have been such to call for growing concern on the part of responsible citizens. In light of these events, we are more convinced than ever of the fundamental truth of these six principles. It is abundantly clear that they cannot be ignored with impunity."

The six principles set forth in the statement are:

1. Freedom of speech set forth in costs be preserved.
2. As Americans and as religious leaders, we have an obligation to obey the law.
3. The Public School System must not be destroyed.
4. Hatred and scorn for those of another race, or for those who hold a position different from our own, can never be justified.
5. Communication between responsible leaders of the races be maintained.
6. Our difficulties cannot be solved in our own strength or in human wisdom, but only through prayer and obedience to the will of God.

APPROPRIATE STATEMENT

The ministers noted in their second statement of principles: "Because of our involvement in this situation, as citizens and religious leaders it has seemed to many Atlanta clergymen that a second statement on their part in appropriate."

"Once more we speak as individual citizens of Georgia and of the United States, having authority to represent no one but ourselves."

In supporting the six-point statement of principles, the clergymen proposed the following practical steps."

1. We appeal to our churches and synagogues to encourage and promote within their fellowship a free and intelligent discussion of the issues we confront. We believe such discussion should and would give careful consideration to the moral, spiritual, and legal aspects of the crisis we face in our beloved Southland.

Sat

11-29-58

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2. We appeal to our community and state leaders to give their most creative thought to maintaining a sound public school plan. Such plan must be consistent with the law of the land, respect and preserve the rights of all citizens, and assure the preservation of our system of public education.

Ga

3. We request the appointment of a Citizens' Commission to preserve the harmony of our community. The public officials of our city have earned the tribute of the nation for their refusal to condone violence and their efforts to realize worthy race relations. We believe that in the future the need will be great for the support of calm, intelligent public opinion. Atlanta possesses business, civic, educational, legal, political, and religious leadership of the quality to afford this support. We therefore request that representatives of this leadership from the races involved be formed into a Citizens' Commission to advise and assist in maintaining harmony and good will among all our citizens."

REPRISALS DEPLORED

The ministers in calling for preservation of freedom of speech deplored "economic reprisals, social ostracism, and even physical violence are constant threats to those who do not conform.

In asking that all citizens obey the law, the statement said: "Those politicians to sacrifice public education in declaring: "We are alarmed to note that many political leaders are apparently willing to offer no better solution than closing of the public schools and the destruction of public education in order to maintain what has been inappropriately described as "our sacred way of life."

VIOLENCE THREAT NOTED

Noting the rising tide of hatred in the South, the clergymen warned: "All hatred between races and groups within society carries with it the constant threat of violence, has been evidenced by the bombing of churches, synagogues, and schools even while this statement was being prepared.

Nothing the widening gap in communications between the races, the clergymen, insisted: Never has been greater need than now for men of goodwill in both races to voice their convictions, to exert their influence, and to maintain open lines of communications.

The ministers in asking obedience to God declared: "It is clearer now than ever before that our difficulties cannot be solved in our own strength or in human wisdom but only through prayer, obedience to God and under his blessings. The situation which confronts us is one which calls for sincere penitence, for earnest prayer for clear thought, and for courageous action."

Closing Of Public Schools Jars Dixie

Will Drastic Action Moderate Both Races' Position In 1959?

14d Ga.

By AL KUETTNER
United Press International

Jackson News

ATLANTA (UPI)—The week before Thanksgiving, 1958, in Atlanta large printed signs began appearing on automobiles. They read: "We want public schools."

Jackson News

In rapid succession three manifestos were issued by influential groups—the metropolitan Atlanta clergy, the Emory University faculty and Agnes Scott College professors—urging that a way be found to keep public schools open regardless of the outcome of pending integration cases.

Dec

In Miami, Episcopal bishops of the United States adopted a pastoral letter—read in every Episcopal church in the South—calling for universal obedience to federal laws and for a return to principles of Christian brotherhood in the solving of racial tensions.

12-22-58

P3

In Atlanta, J. H. Calhoun, not long ago one of the most militant of the NAACP leaders in the South, told an assembly at a Negro university that desegregation can only take place in a "favorable atmosphere." He said he hoped that leaders of Negro and white races could sit down together and work out their problems in the event a federal court orders integration for Atlanta schools.

CHANGE OF HEART?

Did the critical racial troubles of 1958, including the closing of some schools in Arkansas and Virginia, produce a change of heart in a section of America that once had vowed to stand firm against the encroachment of integration?

Much of the Deep South has not changed, but events most certainly have caused some deep reflection and hard planning.

The September school term and final federal court orders to proceed with the integration of famed Central High School arrived in Little Rock, Ark., at about the same time. The Legislature, swiftly summoned into special session, adopted laws that would permit schools to close. Little Rock voters, apparently fearing fresh violence of the 1957 variety if Central again were integrated, endorsed the closing.

Arkansas Gov. Orval Faubus conducted a personal nationwide money-raising campaign to produce private funds for operation of high schools in the Arkansas capital. As the year ended there was some form of private education for youngsters displaced by the closing of white high schools.

Virginia also got its first taste of private schools. Federal court orders in Norfolk, Charlottesville and Warren County meant the schools had to integrate or be closed under Virginia's massive resistance laws. They were closed.

'BASEMENT CLASSES

Private classes more or less hobbled into operation in Virginia, many of them conducted in basement rumpus rooms of private homes.

As the year ended there was no indication that public education would be resumed soon in any of the 13 schools closed by the race issue—four at Little Rock, one at Front Royal, Va., six at Norfolk and one at Charlottesville. More than 16,000 pupils had been affected.

And what portends for 1959?

Look to Georgia, where two important court cases are pending. One, already on trial, attacks segregation practices at Georgia State College in Atlanta. The other encompasses the entire Atlanta public school system. Final settlement in both cases is expected well before the opening of the 1959 fall term.

Right now many groups in the Georgia capital are striving to find an answer to the problem. State laws now require the closing, of any integrated public school.

Double pressure can be expected in the January session of the Georgia Legislature — one side seeking to strengthen numerous segregation laws on the books; the other side urging adoption of local option laws. It would take a constitutional amendment and a statewide vote to make any basic

STENNIS TELLS WHITE LEADERS: 'TALK FRANKLY' WITH NEGROES

Journal Constitution

By KENNETH TOLER

Mississippi Bureau, The Commercial Appeal
Special to The Atlanta Journal-Constitution

Journal Constitution

JACKSON, Miss., Nov. 1—New ultimatums designed to discourage litigation attacking public school segregation in Mississippi have been issued on several official fronts.

Kenneth Toler

Atlanta, Ga.

They line up beside one issued by Gov. J. P. Coleman in his 1955 campaign for the office, and reiterated several times since, that there will be no mixing of the races in the schools during his administration which ends in January, 1960.

The new mandates anticipate earlier efforts to disturb the existent racial peace which stems from a costly effort on the part of the state to bring Negro schools up to a par with the whites.

Sun
11-2-58

All officials are agreed that schools will be closed before they are opened to integration. Negro leaders realize that as do the large number of Negro teachers.

Stepping out in the strongest statement of his public career, Sen. John C. Stennis (D-Miss.), has called on local white leaders in each of the 82 counties to talk "frankly, firmly and finally" to the local Negro leaders whom they personally know. He challenges the white leaders to let it be known in no uncertain terms that "we are not going to mix our children in our public schools."

The junior senator would then have the mandate backed up with a reminder that the whites control the tax levies and tax money of the counties "and help control them in our state government."

The pay-off for voluntary segregation would be better schools for Negro children "taught by members of your own race."

Meantime, Sen. Stennis suggests consideration of three alternatives in meeting "problems which we will eventually face in Mississippi." They are:

1. A pupil placement plan that would give a new set of legal authorities and defenses.
2. A three-school plan under which an integrated school could be established for those willing to attend, but with segregated schools also available for children of both races who, with their parents, want no part of race mixing.
3. Establishment of private schools.

MISSISSIPPI

Along the latter line, Circuit Court Judge Tom P. Brady of Brookhaven recommends that the state get out of the public education field and leave it to the churches. He said that is the only way the state can escape integration.

The Harvard-educated Mississippi judge, leader in the State Citizens Councils, said "Southern states which are determined to maintain segregation of the races in our schools at any cost must anticipate only hostility from the United States Supreme Court and must adopt measures which will, to the best of our knowledge, prohibit the court from overthrowing our programs."

Judge Brady said the court has not as yet abolished segregation in private schools and that "we still have the right to worship God as we see fit and to organize churches with religious credos and concepts."

"These churches still have the right to conduct Sunday schools and they still have the right also to conduct Monday-through-Friday schools," he said.

The Week in Mississippi

B. U. Jones has suceeded State **Rep. Blaine Eaton** of Taylorsville as **manager** of the **Mississippi Rural Electrical Association.** Mr. Eaton resigned to become manager of the **Southern Pine Electric Power Association** at Taylorsville. . . . **Sen. Richard B. Russell** (D-Ga) will **keynote** the 20th anniversary meeting of the **Mississippi Forestry Association** in Jackson Nov. 14. . . . **Walter Bivins** of the Mississippi Employment Security Commission has been **re-elected** to the board of trustees of the state retirement system. . . . **Alton Massey** of Kosciusko, former public service commissioner, has been named to the **Veterans Farm and Home Loan Board** by Gov. Coleman to succeed **B. B. Allen** of Indianola, who is retiring after 13 years' service. . . . **Brig. Gen. T. B. Birdsong** (retired) has been named **chairman** of Jackson's observance of **Veterans Day.**

For the Birds

Natchez has a law that is really "for the birds." A new ordinance designates the "old south" city as a bird sanctuary and makes it illegal to kill birds in the corporate limits. Bird killers or nest robbers may be fined up to $550 and jailed for 30 days.

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204 Negro Classrooms Added by Atlanta in Year

Journal Constitution

By CLAUDE GEORGE SR.

Two hundred and four new classrooms have been put into use this year for Negro students in Atlanta public schools.

Atlanta, Ga.

School officials said the new rooms helped allay the 500 classroom shortage faced at the beginning of the 1958-59 school term.

The schools and number of rooms added this year are: John P. Whittaker, 8 rooms; Collier Heights, 10; Rosie Wright, 11; Jessie Mae Jones, 28.

11-29-58

New schools expected to open in February include Daniel Stanton, 16 rooms; Oglethorpe, 16, and Charles L. Gideons, 15.

Voting Emphasized

The first requisite for full citizenship is becoming a registered voter, Val Washington, director of minorities for the Republican National Committee, told the Butler Street YMCA weekly forum.

Washington said the Negro must use his own initiative in his fight for full citizenship. His topic was "The South's Potential and Responsibility for National and World Leadership."

Meets Greek Queen

Mrs. Dollie J. Alexander, a representative of the National Assn. of Colored Women's Clubs, visited New York recently and attended a reception given by the National Council of Women of the United States to meet Queen Frederika of Greece.

The reception was held at the Carnegie Endowment International Center. Mrs. Alexander also was in Washington, D.C., for four days attending the National Council of Negro Women's meeting.

Wins Scholarship

Gloriastene Thompson of Benton, La., has been awarded the Walter F. White Scholarship at Atlanta University. The grant is awarded by the university's alumni association to a student who is working toward a master's degree in sociology and who is interested in a career in the field of racia relations.

Speaks at Tuskegee

The Rev. William Holmes Borders, pastor of the Wheat Street Baptist Church, will address the Tuskegee, Ala., Civic Assn. at 7:30 p.m. Tuesday at the Greenwood Missionary Baptist Church in Tuskegee.

Keep Our Schools, 250 at Emory Say

Faculty Members See Closing Doors As Great Gain for World Communism

By KAY McLEOD

Atlanta Constitution

More than two-thirds of the faculty members at Emory University Saturday issued a statement opposing the closing of public schools anywhere in the nation.

They said such interruption of the education of American youth could result in the loss of an entire generation of specialists and allow communism to gain in the vital battle of education.

The Emory statement, signed by 250 of the university's 360 full-time faculty members, said that closing public schools would result in "irreparable damage . . . not only to the people of any particular community, but also to the state and nation at large."

The educators declared:

"Even a partial interruption during one year of schooling will result in a decrease during the following years of the trained specialists.

Atlanta, Ga.

"**IF SUCH** an interruption continues even for a few years, the services of an entire generation . . . will be lost.

"This will amount to nothing less than willful discrimination by people of this region against themselves and their own children."

Sun. 11-30-58

Dr. S. Walter Martin, president of Emory did not sign the statement, but said, "I do agree with the sentiment of the document."

He said he had been given a copy of the statement for information and his signature was not requested since only full time teaching faculty members were asked to sign.

P. 1

Emory is concerned over the possibility of many faculty members leaving the university should public education facilities be closed to their children, Dr. Martin said.

* * *

THE STATEMENT said that "many industries will not find it possible to remain . . . where there are no stable public educational facilities for children of employes and no adequate supply of high school and college graduates for these industries.

Constitution

"Furthermore, new businesses and industries will be reluctant to come to such a section. This is bound to have an unfavorable effect on the economic welfare of the state and all its citizens."

The number of trained specialists such as physicians, dentists, nurses, county agricultural agents, engineers, scientists, lawyers, librarians, clergymen and teachers would be greatly reduced should any interruption in public education be allowed, the statement warned.

"The folly of a weakened educational system cannot be afforded in the face of "Russia's systematic attempt to overawe us educationally. . . . To close the public schools in any city, county, state or region of America at this critical stage of world history is to play directly into the hands of communism," the report warned.

* * *

THE EDUCATORS said that although private schools contribute greatly to education, "both history and contemporary experience clearly indicate that the major portion of the educational load can be adequately borne only by the public school system."

1490

Emory is a private university owned and operated by the Methodist church. There are no Negro students at the university, and no official statement has been made as to whether or not qualified Negroes would be admitted if they applied.

The Emory faculty statement, following by a week the manifesto signed by 311 Atlanta clergymen calling for preservation of public schools, makes no mention of race, segregation or integration.

* * *

SEVERAL of the Candler School of Theology faculty signed both the manifesto and the Emory statement.

Dr. Martin said Saturday a 15-man committee has been appointed to study the possibility of setting up an elementary and high school program for the approximately 200 children of the faculty.

"We have so many faculty people who could get jobs anywhere else, and would, if their children did not have schools to attend. If the schools close, we will certainly try to do something for the children," Dr. Martin said.

He also said the committee is studying a proposal that Emory set up a subfreshman program to offer opportunity for some 1,000 rising seniors from Atlanta Public School System to complete their education.

Signers of the Emory Faculty statement include: W. C. Archie, dean and professor of romance languages; William Ragsdale Cannon, dean of the Candler School of Theology and professor of church history and historical theology; Thon H. Goff, professor of business administration and acting dean of the business school; Charles T. Lester, dean of the graduate school and professor of chemistry.

H. Prentice Miller, dean of the Lower Division and associate professor of biochemistry; Ellis Herber Rece, dean of students and professor of Bible and religious education, and Mack Boyd Stokes, professor of systematic theology and associate dean of the school of theology.

Manifesto issued—

Emory faculty opposes closing of public schools

Birmingham News

ATLANTA, Nov. 29—(AP)—Some 250 fulltime members of the faculty of Emory University Saturday released a manifesto opposing the closing of public schools anywhere in the United States. They said such interruption, if prolonged, could result in the loss of an entire generation of specialists.

Furthermore, many industries won't remain in a section where there are no stable public educational facilities and new businesses and industries will be reluctant to come to such a section, said the statement.

Signers included 247 professors, about two-thirds of the fulltime faculty of 360 assistants and instructors of the Methodist coeducational liberal arts-professional university.

11-30-58

THE EDUCATORS said they are seriously concerned with Russia's attempt to "overtake us educationally, an attempt that has been alarmingly sucessful as recent events have indicated:

"We cannot afford the folly of a weakened educational system, and we can even less afford no education at all. To close the public schools . . . is to play directly into the hands of communism.'

Private schools contribute greatly to education for democracy, the statement continued, but the major portion of the educational load can be adequately borne only by the public school system.

"We therefore earnestly appeal to our fellow citizens not to allow the closing of our schools but to save them, strengthen them and improve them."

THE STATEMENT made no mention of racial tensions here or elsewhere but it followed by one week another manifesto by 311 Atlanta clergymen who called for the appointed of an interracial commission to help maintain harmony and good will in the Georgia integration crisis.

Segregation leaders recently have warned that Atlanta public schools might be ordered by federal courts to integrate by next September, thereby forcing them to close under existing state law. Mayor William B. Hartsfield has called for a local referendum on the issue.

An earlier "Atlanta manifesto" by clergymen called for obedience to law, preservation of public schools, protection of free speech and maintenance of communications between white and Negro leaders.

THE EMORY SIGNERS included; W. C. Archie, dean of the college and professor of romance languages; William Ragsdale Cannon, dean of the Candler School of Theology and professor of church history, and historical theology; John H Goff, professor of business administration and acting dean of the business school.

Charles T. Lester, dean of the graduate school and professor of chemistry; H. Prentice Miller, dean of the lower division and associate professor of English; Evangline Papageorge assistant dean of the school of medicine and associate professor of biochemistry; Ellis Heber Rece, dean of students and professor of Bible and religious education, and Mack Boyd Stokes, professor of systematic theology and associate dean of the School of Theology.

THE EMORY manifesto:

"We the undersigned, who are fulltime members of the faculties of Emory University, are opposed to the closing of the public schools in any section of the United States. We wish to point out the irreparable damage that will result from the closing of public schools, not only to the people of any particular community, but also to the state and nation at large.

"Every citizen should realize that even a partial interruption during one year of schooling will result in a decrease during the following years of the services of trained specialists such as physicians, dentists, nurses, county agriculture agents, engineers, scientists, lawyers, librarians, clergymen, and teachers.

11-30-58

IF SUCH AN interruption continues even for a few years, the services of an entire generation in such professions and skills will be lost; and this will amount to nothing less than willful discrimination by the people of this region against themselves and their own children.

"We as citizens should also realize that many industries will not find it possible to remain in any section where there are no stable public educational facilities for children of employes and no adequate supply of high school and college graduates for these industries.

Furthermore, new businesses and industries will be reluctant to come to such a section. This is bound to have an unfavorable effect on the economic welfare of the state and all its citizens.

"THOSE OF US WHO, are educators are seriously concerned with the consequences of Russia's systematic attempt to overtake us educationally, an attempt that has been alarmingly successful, as recent events have indicated. We cannot afford the folly of a weakened educational system, and we can even less afford no education at all.

To close the public schools in any city, county, state or region of America at this critical stage of world history is to play directly into the hands of communism.

"Even apart from such considerations, an interruption in public school education would detract disastrously from its role in providing our children with a comprehension of the natural world around them, an appreciation of the heritage of civilized men, and an understanding of the society in which they must live.

"ALTHOUGH PRIVATE schools contribute greatly to education for democracy, both history and contemporary experience clearly indicate that the major portion of the educational load can be adequately borne only by the public school system.

We therefore earnestly appeal to our private citizens not to allow the closing of our schools, but to save them, strengthen them, and improve them.

GEORGIA

ATLANTANS RESIST STATE PUPIL PLAN

14d(1)

Mayor Leads Fight Against Law to Close Schools in Integrated District

By CLAUDE SITTON

Special to The New York Times.

ATLANTA, Nov. 21—Widespread popular support has developed here for the proposed repeal of state laws that would force public schools to close in the event of a Federal Court desegregation order.

The move is led by Mayor William B. Hartsfield of Atlanta and members of the city's legislative delegation, who called for enactment of a local option measure on the question.

Parents' groups, civic organizations and some business leaders pledged their backing for legislation that would allow communities to decide whether to accept limited desegregation as an alternative to closing their schools. The Atlanta Journal and The Atlanta Constitution endorsed the referendum plan.

Key Leaders Opposed

However, the state's key political leaders and advocates of a no-surrender stand voiced strong opposition to the proposals.

The move grew out of local unrest resulting from school closings in Virginia and Arkansas and the possibility that a Federal District Court would order desegregation here before next September.

Ten Negro parents representing twenty-eight children asked the District Court here last January to direct the City Board of Education to reorganize the schools on an integrated basis.

A recent order in the case signed by Judge Boyd Sloan and Judge Frank A. Hooper Jr. indicated that a decision would be handed dow nin time for any appeal to be heard before the start of school next September.

Would Shut District

If the decision calls for the admission of Negroes to white schools, present state laws would force the Governor to shut every school in the Atlanta system.

They would then be replaced by private, segregated institutions housed in leased public school buldings and supported by allocations of state money to individual students.

However, as many here are aware, the Georgia statutes are similar to those of Virginia and Arkansas, which have proved generally ineffectual in circumventing rulings of the courts.

No Solution Offered

Even the author of the private school amendment, Senator Herman E. Talmadge, said the state might face the closing of its schools by next fall. He offered no solution for the problem. He said it was for the Legislature and the Governor to solve.

The amendment was adopted in 1954 by 210,478 votes to 181,148 after the Supreme Court desegregation decision. Mr. Talmadge was Governor at that time.

Harold C. Fleming, executive director of the Southern Regional Council, said that because Atlanta was the largest economic and governmental center in the Southeast "the outcome of this rising citizen's protest will have a profound influence on future developments throughout the region." The council is an inter-racial group that seeks, to promote better White-Negro relations in the South.

"In most Southern communities, including Norfolk and Charlottesville, Va.," he noted, "there has been little widespread action to preserve public schools until the schools were actually closed.

"Atlanta is providing a significant exception. With the example of Little Rock and the Virginia cities before them, Atlanta's public officials, civic leaders and parents are joining the issue well in advance.

"These are not 'integrationists' but people who feel that the public schools must not be sacrificed to diehard resistance policies."

Critics of the local option plan cited this referendum to support their contention that Georgians wanted no softening of the anti-desegregation stand. They were also expected to find ammunition in the 3 to 2 margin by which Norfolk voters approved this week Virginia's policy of massive resistance, although six of that city's schools had been closed.

Opponents of the plan were led by Senator Richard B. Russell, Gov. Marvin Griffin and Governor-elect Ernest Vandiver, now Lieutenant Governor.

Russell Fears Flood

The fight "to preserve the white race in Georgia," Senator Russell declared this week, has not even started. He ridiculed those proposing "a little" integration and said, "If you do this, it will not be long until all the doors are open to the integrated flood."

Governor Griffin asserted that "the Mayor of Atlanta cannot throw in the towel for me or any other Georgian." He said some type of private school plan was the answer.

Mr. Vandiver said his Administration would offer legislation to strengthen the anti-integration laws but that it would not include a provision for local option.

Aside from the effect of developments elsewhere in the South, proposals to revamp the laws stem largely from the fear of state officials that a single court order might desegregate every school in Georgia and thus force the Governor to shut them.

Members of the State Board of Education expressed concern this week that such a sweeping order might result if a desegregation suit were filed against that agency, which controls the entire public education system.

Officials also conceded that closings in Atlanta, for example, might bring a taxpayer's suit against the state. Such action would be brought on the ground that Georgia could not legally provide public funds for one school district while denying them to another.

Mayor Hartsfield was pessimistic. "Because of the county unit system," he said, "the people of Atlanta have utterly no voice in state government and about all we can do is to rattle our chains."

This was a reference to Georgia's election procedures, which are weighted heavily in favor of small rural counties while relatively discounting the value of the ballots in more populous areas.

Threat To Dixie Pocketbook

White Georgia Educators Warn South Against Closing Schools

Journal and Guide P.1 Norfolk Va.

Sat 12-6-58

ATLANTA — Employees and business men alike will be hit in the pocketbook and economic and cultural progress will be stifled if public schools are closed anywhere in the United States, 247 full-time Emory University faculty members declared in a manifesto on Saturday.

The pronouncement by the Methodist institution's educators followed by one week a manifesto by 311 white protestant ministers calling for obedience to the Supreme Court, preservation of public schools and calm and thoughtful leadership. Catholic and Jewish clergymen issued a similar statement previously.

NO MENTION of racial tensions or court decision was made by the educators. They stated that industries will leave sections where public schools are closed and new concerns will hesitate to risk capital by entering the areas.

It noted also that any weakening of public educational systems will serve the cause of communism, emphasized that major load in education must be supported by public facilit or a whole generation of specialists will be lost.

CITIZENS were urged to oppose any closings and to improve and strengthen the public systems.

Members Of Emory Faculty Oppose Closing Of Schools

News-Courier

Charleston, S.C.

Sun. 11-30-58

P. 3A

ATLANTA (AP)—Some 250-full time members of the faculty of Emory University Saturday released a manifesto opposing the closing of public schools anywhere in the United States. They said such interruption, if prolonged, could result in the loss of an entire generation of specialists.

Furthermore, many industries won't remain in a section where there are no stable public educational facilities and new businesses and industries will be reluctant to come to such a section, said the statement.

Signers included 247 professors, about two-thirds of the full-time faculty of 360 assistants and instructors of the Methodist coeducational liberal arts - professional university.

The educators said they are seriously concerned with Russia's attempt "to overtake us educationally, an attempt that has been alarmingly successful as recent events have indicated.

"We cannot afford the folly of a weakened educational system, and we can even less afford no education at all. To close the public schools ... is to play directly into the hands of communism."

Private schools contribute greatly to education for democracy, the statement continued, but the major portion of the educational load can be adequately borne only by the public school system.

"We therefore earnestly appeal to our fellow citizens not to allow the closing of our schools, but to save them, strengthen them and improve them."

The statement made no mention of racial tensions here or elsewhere but it followed by one week another manifesto by 311 Atlanta clergymen who called for the appointment of an interracial commission to help maintain harmony and good will in the Georgia integration crisis.

Segregation leaders recently have warned that Atlanta public schools might be ordered by federal courts to integrate by next September, thereby forcing them to close under existing state law. Mayor William B. Hartsfield has called for a local referendum on the issue.

School Issue Stirs Georgia

Post Times Herald

Washington D.C.

Thurs.

11-20-58

P. A-17

ATLANTA, Nov. 19 (AP) The desegregation battle that has closed schools in Arkansas and Virginia today engulfed Georgia in an intense struggle between die-hards on both sides of the issue.

An Atlanta member of the State Legislature called for repeal of a state law that would automatically close schools ordered to desegregate. At the same time Sen. Richard Russell (D-Ga.) hit at what he called the Georgia surrender group and Gov.-elect Ernest Vandiver reiterated his stand against school desegregation.

State Rep. M. M. Smith told an Atlanta P-TA meeting he would introduce a local option bill permitting each school district to vote on "public schools or no public schools" at the January session of the Legislature.

Mayor William B. Hartsfield of Atlanta attended the meeting and said he thoroughly agreed with Smith. Hartsfield urged last week that Atlanta citizens be allowed to hold a referendum on the question of whether to close schools if they are ordered to mix the races.

In Griffin, Ga., Quimby Melton Jr., editor of the Griffin News and a newly elected member of the Legislature, came out for what he called "a sane and sensible reappraisal of our position which is becoming less tenable day by day."

He said he had a known record as a staunch segregationist but added: "I am opposed to the surrender of the public school system of Georgia under any circumstances unless something equally good and offering equal opportunity to all our children is offered as a substitute."

Russell told a meeting of the Georgia Farm Bureau Federation in Albany last night that he was opposed to those who advocate a little integration.

"If you do this," he said, "it will not be long until all the doors are open to the integration flood."

Russell said there was a much better chance of defending segregation by supporting segregation forces in the state because they are the ones who will continue to come up with new ideas and plans. He added that surrender talk would not help in the fight in Washington to get a states' rights bill passed.

Smith told the P-TA meeting that recent court decisions have completely changed the picture and that Georgia now is faced with an entirely new situation in which private schools have no part.

"I want to say to all the people of Georgia," Smith said, "that your schools will be closed when those in Atlanta are closed."

The State Board of Education moved yesterday to prevent the possibility that one lawsuit against it might bring about desegregation of the state public school system as a whole. It called on the 1959 Legislature to set up a school law study committee to revise the state's school laws.

Sen. Herman Talmadge (D-Ga.) recently predicted that Federal court orders could be expected affecting Georgia public schools before the fall term starts next year.

Furnishings Taken From Negro Schools

14d(1)9a

Post and Times Herald

Wash. D.C. 6-25-58

P. 1

ATLANTA, June 24 (UPI) Education officials at Dawson stripped equipment from two new Negro schools and refused to return it, records of the Georgia State School Building Authority showed today.

The Authority in retaliation is holding back $32,316 in funds for the Terrell County school system.

The equipment includes refrigerators, furnishings in the teachers' lounge and office and classroom desks. All of it is being used in other schools, both white and Negro, and in the county superintendent's office, according to the records.

Superintendent Frank Christie of Terrell County schools requisitioned the furnishings last September and has refused to return them, saying he was advised not to by the Terrell County Board of Education.

[The Washington Post reported June 8 that "an atmosphere of fear among Negroes" existed in Dawson, the Terrell County seat. One Negro has been shot to death by police and another wounded in recent months, and a third died after a police beating.

[The Post also reported that two dozen Negroes—including school teachers — failed in an attempt to register to vote in Dawson.]

School building authority records show repeated exchanges of correspondence over the equipment taken from the Lillie Cooper Elementary School and the Terrell Negro High School, both in Dawson.

The Authority began cautioning the Dawson officials last September that they were not to remove equipment from Negro schools, the records showed.

Christie, after promising in writing at least twice that the equipment would be returned to the proper Negro schools, has failed to do so, according to the Authority's records.

A letter by "Citizens of Terrell County" was sent to the county superintendent's office last May 23 saying, "We would like to ask when will the other equipment removed from some of the Negro schools be put back so that our children may get full benefit of its use for their training?"

A memo of a telephone conversation between Christie and John Sims, Authority secretary, last May 30 contains a notation that Christie admitted the equipment had not been replaced and saying he did not intend to do so.

[The Macon (Ga.) Telegraph, which reported the furniture dispute yesterday, quoted Sims' memo as saying:

["I asked Mr. Christie if they intended to return it, and he advised me that they did not intend to return it. He said he has to do what his Board orders him to do."

[The Macon paper said the Authority was concerned because bonds sold to finance the Negro schools had to be protected and there must be "no interference with the lien rights of the purchasers of bonds."

[Christie told a Washington Post reporter last night that he had read the Macon paper's account and "all of it is not correct." He added:

["I'll have to have a meeting with my Board on it. They are the ones being criticized and I'll have to wait till I talk to them before I make a statement to the press."

[It was learned that opening of the two new Negro schools, scheduled for last September, was delayed by Terrell County school authorities. When the schools did open, the equipment at issue had been removed.]

Griffin Vows To Close Ga. Schools

14d(1)

Defender

p. 2

Chicago

WASHINGTON — (UPI) — Gov. Marvin Griffin of Georgia warned on the eve of the Supreme Court's special session, that his state's public schools will close rather than submit to federally-enforced integration.

Griffin said that if President Eisenhower sends paratroopers to Georgia "they can hitch up their fancy breeches and march up and down in front of an empty school."

Griffin, a Democrat, was interviewed on the school integration question along with Theodore McKledin, Republican governor of Maryland, on the CBA radio program, "The leading question."

McKeldin reiterated his intention to "obey the law" and proceed with desegregation of Maryland public schools gradually and step by step.

He said he thought it would "do great harm to both sides" if a hasty approach were taken to the "very difficult problem." But he added that he thought full integration would eventually come to every state in the union.

Both governors agreed that Eisenhower's decision to send troops to Little Rock, Ark. last fall would have political repercussions in the 1960 Presidential election.

McKeldin predicted it would have "bad effects" for the GOP. The move failed to win either more Southern white or northern Negro support for the party, he said.

DISTURBED

Griffin said he was "a little bit disturbed" because he thought the Democrats in the North and East would "lick the Republicans so badly that they won't have much to do, so they will meddle in our business and pressure for minority group control of the government."

Griffin reasserted the view of segsegationists that the states have absolute authority over their schools. He said he did not believe that the Supreme Court decision of 1954 "is the law of the land."

McKeldin took sharp issue with Griffin on this point.

Griffin said he subscribed to the position held in the 1896 Supreme Court decision of "separate but equal" schools for whites and Negroes.

Georgia Scientists Oppos Closing Of Public Schools

Atlanta World

14d(1)

Atlanta Ga.

Fri. 12-12-58

P. 1

An organization of some of Georgia's outstanding scientists came out strongly Wednesday against any move to close public schools over the integration crisis.

The Executive Committee of the 160-member Communicable Disease Center branch of the Scientific Research Society of America has issued a signal statement deploring any such closing.

The statement said, in part, that the organization "vigorously opposes any plan which will result in abolition of the public school system."

The group said "any prolonged interruption of the normal flow of students into scientific fields would be a calamity to both Georgia and the nation."

Copies of the statement were sent to Atlanta area delegates to the General Assembly, to Atlanta Mayor William B. Hartsfield, and to Atlanta newspapers. The delegates were urged to give active support to such legislation necessary "to insure the continuity of the public school system in the State of Georgia."

Pointing up the major role scientists are being called on to play in the battle against Communism, the statement said "it is no exaggeration to say that our survival as a democratic nation depends to a great extent upon continous training of young scientists and the discovery of new talent."

The group says Georgia is already experiencing difficulty attracting scientists to the state because of the unstable situation developing in public schools.

School rules not aimed at Negroes, claim

Birmingham News

14d(1)9a

Birmingham Ala.

Fri. 12-12-58

P. 18

ATLANTA, Dec. 12—(AP)—The chancellor of the University System of Georgia says regulations for admission were not adopted for the purpose of excluding Negroes from state institutions now attended only by white persons.

Dr. Harmon Caldwell was testifying Thursday in the U. S. District Court suit of three Negro women attempting to break down segregation at Georgia State College in Atlanta.

Caldwell said after talking to students of both races he was convinced that "both the white people and the vast majority of good Negro citizens want segregation" in public schools.

CHARLES J. BLOCH of Macon, a former regent, testified admission rules adopted in 1933 and 1956 were not for the purpose of excluding Negroes. He said that as far back as he knew the rules had been uniformly enforced.

John H. Calhoun, former president of the Atlanta branch of the National Assn. for the Advancement of Colored People, and the NAACP was financing the suit of the three women.

He said they came to him in 1956 when he was head of the local branch and asked for NAACP assistance.

Atty. Gen. Eugene Cook told newsmen he thought Calhoun's testimony showed the plaintiffs were not actually interested in attending Georgia State College, but were only performing a function for the NAACP.

Keep Public Schools Open, 419 Atlanta Doctors Urge

Use All Legal Efforts, They Say; Close-Up Seen as Health Harmer

By MARGARET SHANNON

Constitution

A declaration by 419 Atlanta area doctors Saturday urged "whatever legal steps are necessary to prevent the closing of our public schools."

The physicians said they believe a school shutdown "would materially interfere with the supply of essential scientific personnel and this would ultimately damage the health services of this region."

Atlanta, Ga.

Present Georgia laws require the closing of schools in any system where a court orders integration. A case seeking to end segregation in Atlanta schools is pending in U.S. District Court here.

Sun. 12-21-58

THE DOCTORS — all of them white—expressed their willingness as individuals "to cooperate with other state and local citizens in a concerted effort to solve the problems arising out of the effort to maintain public schools."

P. 1

The medical group was the largest yet in the recent outcropping of formal, signed expressions of concern in connection with the school segregation problem.

A manifesto signed by 312 ministers last month touched off the round of declarations. Statements by 250 Emory University faculty members and 73 Agnes Scott College faculty members have followed.

The doctors acted as individuals, and the declaration points out that they represent no official organization. It is estimated that the signers are about half the total number of physicians in the Atlanta and Decatur vicinity.

* * *

THE DECLARATION in its final form was the product of a group of 37 physicians—a cross section from various hospital staffs and different fields of medical practice.

It was circulated by mail to approximately 900 doctors, according to Dr. Dan Burge, who was designated by the group to act as spokesman.

The declaration was accompanied by a return postcard, he said. There was no solicitation for signatures or promotion of the declaration otherwise, he said.

The card asked each doctor to designate whether he did or did not want his name included among the signers. Besides the 419 who did, 56 returned cards saying they did not. About 425 cards were not returned.

* * *

DR. BURGE SAID only four of the 56 nonsigners returning cards opposed the idea. The others expressed agreement in principle, but did not want their names used, he said.

Text of the declaration:

"The undersigned physicians, acting as individuals, and representing no official organization, believe that the closing of the public schools in Atlanta and in Georgia would constitute a major catastrophe that would result in irreparable damage to the children of our city and state. We believe that closing the public schools would materially interfere with the supply of essential scientific personnel and would ultimately damage the health services of this region. We also recognize the far-reaching consequences to the spiritual, moral and economic welfare of our community.

Constitution

Sun 12-21-58

* * *

"WE RESPECTFULLY urge all of the people, and particularly the city and state, business, professional and political leaders to take whatever legal steps are necessary to prevent the closing of our public schools.

"We, as individuals, further state our willingness to cooperate with other state and local citizens in a concerted effort to solve the problems arising out of the effort to maintain the public schools."

Georgia Mercury To Drop Slowly

Slowly dropping temperatures will be the only weather harbingers for Georgia over the weekend.

Sunday night and Monday temperatures will drop into the high 20's and low 30's across the state.

Partly cloudy skies will cover the state Sunday but will begin clearing Monday.

Extreme readings Sunday were expected to be about 45-48 high, followed by a low of 28-30 Sunday night and a high of about 45 Monday.

Doctors Who Signed Paper

A declaration issued Saturday by 419 Atlanta area physicians opposed any shutdown of public schools. The signers were:

Charles D. Adams
Elizabeth K. Adams
Harold W. Adams
Dale T. Addington
John T. Akin Jr.
Herbert Alden
H. Homer Allen
Gordon G. Allison
Samuel S. Ambrose
John M. Anderson
Robert J. Anderson
James E. Anthony Jr.
LeRoy C. Antrobus
Harry D. Arnold Jr.
C. Raymond Arp
E. L. Askren Jr.
Earnest C. Atkins
F. M. Atkins
John S. Atwater
W. G. Avery
Darrell Ayer
Jose M. Bahamonde
J. Mason Baird
M. K. Bailey
Stephen T. Barnett Jr.
J. Gordon Barrow
R. A. Bartholomew
Heinz Bauer
C. R. F. Beall
John E. Beck
Marion T. Benson
Jerome D. Berman
Truett V. Bennett
W. H. Bennett
Louis Berger
Maxwell Berry
Everett L. Bishop
L. Minor Blackford
B. Blaine
J. C. Blalock
J. Kelvin Bleich
Richard W. Blumberg
Irwin Blumenthal
Edgar Boling
William Bondurant
William G. Brawley
James N. Brawner Jr.
Larry Bregman
Spencer Brewer Jr.
George Bright
Dorothy Brinsfield
Betty Ann Brooks
Charles E. Brown
Eugene Brown
Robert L. Brown
Samuel Y. Brown
L. C. Buchanan
Eleanor E. J. Bundy
Dan Burge
Taylor Burgess
B. Russell Burke
Herbert W. Burton
H. Harper Butterworth Jr.
Kathleen Byers
James H. Byram
Marguerite L. Candler
James M. Carson
H. G. Carter
Freeman H. Cary
Rives Chalmers
Amey Chappell
Bartlette M. Cheatham
F. E. Christopher
James L. Clark
Henry J. Climo
Peter J. Cline
Steven G. Cline
Claud Pope Cobb Jr.
Isidore R. Cohen
Reese C. Coleman Jr.
P. L. Collinsworth
C. Walter Coolidge
Charles F. Cooper Jr.
Gerald R. Cooper
Charles C. Corley Jr.
Avery L. Cotton
H. B. Cottrell
B. S. Cowan
G. Thomas Cowart
H. C. Crawford
William R. Crowe
James C. Crutchen
Leo P. Daly
Nicholas E. Davies
J. Harris Dew
William L. Dobes
Edward R. Dorney
Mark S. Daugherty
George B. Dowling
Walter S. Dunbar
John B. Duncan
E. B. Dunlap Jr.
Edgar M. Dunstan
R. E. Dyer
Robert F. Eaves Jr.
Charles A. Eberhart
Wilson T. Edenfield
M. T. Edgerton
Richard A. Elmer
Jacob Epstein
William L. Eubanks
A. R. Evans Jr.
J. K. Fancher
Richard E. Felder
Henry Finch
Edgar F. Fincher
Francis W. Fitzhugh Jr.
Darfus Flinchum
Earl Floyd
Gregory E. Flynn
Catherine E. Foster
G. Lester Forbes
C. Dixon Fowler
Vernelle Fox
Robert Henry Franch
Milton H. Freedman
Lawrence L. Freeman
J. W. Fristoe Jr.
F. James Funk Jr.
W. L. Funkhouser
Regina Gabler
John T. Galamobs
William H. Galloway
John P. Garner
Robert C. Garner
Brit B. Gay Jr.
Thomas Bolling Gay
B. R. Gendel
John J. Gerling
Nathan I. Gershon
Robert H. Gillespie
Gerald W. Gingrich
Herbert S. Girardeau Jr.
Joseph L. Girardeau
C. S. Glisson Jr.
Perry Goid
Abner Golden
Franklin H. Goodwin
George M. Goza Jr.
Edgar D. Grady
L. Margaret Green
I. L. Greenberg
Hugh H. Gregory
E. L. Griffin
W. H. Grimes Jr.
A. V. Gude
Thomas N. Guffin
J. Candler Guy
Charles E. Hall Jr.
Alton V. Hallum
William Roy Hancock
R. K. Hancock
Timothy Harden Jr.
Earl Haltiwanger
Byron Harper
J. Frank Harris
Thomas A. Harris
Lewis B. Hasty
David L. Hearin
David E. Hein
William C. Helms
Neil C. Henderson
Lamont Henry
L. F. Herrmann
Jos. A. Hertell
Haywood N. Hill
William Harry Hill
Fred B. Hodges Jr.
W. A. Hodges
William W. Hodges
Fred G. Hodgson
James D. Hodnett
Charles E. Holloway
Walter R. Holmes
W. A. Hopkins
Charles K. Howard
David S. Hubbard
D. J. Hughes
Charles M. Huguley Jr.
Peter Hydrick
J. Willis Hurst
Sidney Isenberg
David F. James
Sterling H. Jernigan
Richard H. Johnson
Harry B. Johnston
Paul V. Joliet
Fleming L. Jolley
Carl C. Jones Jr.
Alvin D. Josephs
Dan Kahle
Herbert R. Karp
James A. Kaufmann
Robert P. Kelly
C. G. Kemper
Alfred E. King
J. Dudley King
L. S. King
Richard E. King
Ellen Finley Kiser
William H. Kiser
Dr. Houston W. Kitchin
J. H. Kite
Salmon A. Koff
M. J. Krainin
Philip I. Krugman
Rose A. Lahman
J. H. Lamm
J. Harry Lange
Alexander D. Langmuir
Paul A. Lavietes
C. L. Laws
Ted F. Leigh
John T. Leslie
W. M. Lester
A. H. Letton
A. O. Linch
Merrill Lineback
Bernard S. Lipman
J. Watts Lipscomb
Edwin Lochridge Jr.
Bruce Logue
Leonard Long
Wood W. Lovell
Mason I. Lowance
Emory H. Main
Thomas P. Malone
P. Thomas Manchester Jr.
Richard C. Margeson
Donald S. Martin
W. Roy Mason Jr.
Joseph C. Massee
Sanford J. Matthews
Roy H. McClung
John McClure
John M. McCoy
J. D. McDonough
Calhoun McDougall
T. E. McGeachy
A. Park McGinty
William C. McGarity
Estelle McNiece
Thomas C. McPherson
A. J. Merrill
Franklin C. Miles
Hal C. Miller
Lila Bonnen Millen
Preston R. Miller
C. W. Mills Jr.
W. R. Minnich
George L. Mitchell Jr.
E. G. Mize
J. M. Monfort
B. Waldo Moore
Albert L. Morris
William N. Morrison
Chester W. Morse
T. C. Moseley
Michael V. Murphy Jr.
Ralph A. Murphy
Martin T. Myers
W. P. Nicolson Jr.
W. P. Nicholson III
George A. Niles Jr.
Peter A. Oliva
James F. Olley
Buford L. O'Neal
Dewey E. Overton
George M. Owens
Richard C. Parsons
Joseph H. Patterson
C. E. Pattills
Robert Joseph Peace
Rosemonde S. Peltz
William J. Pendergrast
Garland D. Perdue Jr.
Neil G. Perkinson
Samuel W. Perry
Carl C. Pfeiffer
Irene A. Phrydas
F. C. Powell
Vernon E. Powell
George H. Preston
Tom D. Raaen
Morgan Raiford
Joseph L. Rankin
Earl Rasmussen
Albert Rauber
Joseph C. Read
Bryan L. Redd Jr.
W. Harrison Reeves
William A. Reid
Edward D. Reisman
Louis F. Reynaud
Virginia G. Reynaud
Louis S. Riccardi
M. Hobson Rice
A. C. Richardson
Arthur P. Richardson
Jeff L. Richardson
Lea Richmond
Charles Rieser
Shirley L. Rivers
M. Hines Roberts
R. E. Roberts
Robert L. Robinson
James V. Rogers Jr.
Donald R. Rooney
Albert A. Rosenberg
William Rottersman
Louis C. Rouglin
David A. Russell Jr.
Walter T. Sale
John M. Schreeder
Paul L. Schroeder
Spalding Schroder
Legh R. Scott Jr.
Thomas P. Scott Jr.
R. Mitchel Sealey
Robert A. Sears
W. A. Selman
William H. Sewell
B. L. Shackleford
Walter H. Sheldon
Duncan Shepard
H. L. Shessel
Olin Shivers
Wade H. Shuford
Merton A. Shure
Cheney C. Sigman Jr.
M. F. Simmons
W. Vernon Skiles
W. G. Skipper
Helen B. Slade
John de R. Slade
W. P. Sloan Jr.
Charles W. Smith
Carter Smith
Ernest G. Smith Jr.
Randolph Smith
W. A. Smith
William A. Smith Jr.
Eugene Spier
George W. Statham
Jean S. Staton
Ted L. Staton
John E. Steinhaus
A. L. Stephens Jr.
R. H. Stephenson
Calvin B. Stewart
Cyrus W. Strickler Jr.
Hiram M. Staurm
Cosby Swanson
Homer Swanson
Cary F. Sullivan
G. R. Sutterfield
Morris B. Taranto
J. S. Taylor
H. L. Teate Jr.
Paul Teplis
Ben R. Thebaut
W. L. Thomason
W. R. Thompson
N. A. Thornton
J. C. Thoroughman
Lloyd F. Timberlake
M. Virginia Tuggle
L. N. Turk Jr.
David H. Turner
E. Van Buren
Robert J. Van de Weterin
John B. Varner
J. W. Veatch Jr.
A. S. Velkoff
Fred Vidal
R. A. Vonderlehr
Exum Walker
John S. Walker
W. N. Walker
Hilton F. Wall
Margaret J. Wall
William C. Wansker
John Warkentin
William C. Warren Jr.
Julian Q. Watters
H. S. Weens
James I. Weinberg
Seymour P. Weinberg
A. A. Weinstein
Frank Weitz
Edward M. West
Robert L. Whipple Jr.
Charles L Whisnant Jr.
Carl A. Whitaker
William P. White
Joseph A. Wilber
G. W. Williams
Robert W. Willingham Jr
I. Irvin Willingham
S. Angier Wells
John Page Wilson
Joseph S. Wilson
Richard Wilson
B. P. Wolff
R. Hugh Wood
G. C. Woodson Jr.
Edgar Woody Jr.
Joseph Yampolsky
Charles P. Yarn Jr.
August S. Yochem Jr.

EMERGENCY BUS RIDE

White Teacher Inadvertently Stirs Georgia School Crisis

14d(1)

Advertiser
P. 7-A
Sat. 2-1-58
Montgomery
Ala.

LAKELAND, Ga., Feb. 28 (AP)—A white-haired school teacher of 64 has unintentionally stirred up what some view as a school segregation crisis in Lanier County.

She is Mrs. A. B. Baskin, who in an emergency just before the Christmas holidays allowed a white pupil, Pat Taylor, 9, to ride home in a Negro school bus.

Pat's parents, Mr. and Mrs. Paul Taylor of the Knight community, complained and soon the county was in ferment over the incident. The Taylors finally signed a statement absolving the teacher but the grumblings spread and grew louder, especially in Knight.

T[illegible]t was that Mrs. Baskin [illegible]an of 21 or 22 years in [illegible]ching profession, resig[illegible] she announced later, she [illegible]onsidered and will ask the [illegible] board to reinstate her.

The [illegible]d and County Supt. J. [illegible]eatte hold that, whatever [illegible]ntentions, she made a seri[illegible]stake—one that could cost the county all of its state school aid.

This would be under state law automatically withholding funds from any county abandoning school segregation for any cause.

"After all, she desegregated the school buses in this county just like that," said board member John Crum, who is southwest district secretary for the YMCA. Crum asserted that if the point were pushed he is sure Gov. Marvin Griffin would "cut off our money fast."

Threatte and board chairman Morris Thigpen emphasize that they do not consider Mrs. Baskin an integrationist. They hold that she made a mistake which could have proved costly to the county.

Among those viewing the incident with alarm is Rep. W. T. Bodenhamer of Tift County, Baptist preacher and executive secretary of the segregation States Rights Council of Georgia. Bodenhamer talked with Crum and another school official and left no doubt in their minds of his feelings.

Mrs. Baskin is a farm wife and mother of five grown children. One point disturbing her is whether her retirement benefits will be impaired.

Motions In School Suits May Be Presented Today

Ga.
World
14d(1)
P. 1
Wed. 8-13-58
Atlanta, Ga.

A clerk in the U. S. District Court in ~~Atlanta~~ said Tuesday he will present to a federal judge today motions urging advancement of trial dates for two school segregation suits.

The motions were filed July 29 by Atty E. E. Moore and have not been challenged by attorneys for the Atlanta Board of Education and the University System of Georgia.

The suit filed by a group of Negro mothers against the school board January 11 seeks an injunction against the board to stop it from operating segregated schools. Moore asked that this case be tried at "the earliest possible date. . ."

The second suit is against Robert O. Arnold, as a member of the Board of Regents of the University System of Georgia. It was filed over two years ago. Atty. Moore asked that this case be tried the first week in September.

The suit was filed against the university system as a result of its refusal to admit Negro students.

DeKalb's Example Challenges Schools

Constitution P. 4
Atlanta, Ga.
14d(1)
Wed. 4-2-58

Implementation of DeKalb County's beefed-up school curriculum, including more emphasis on math, science and language courses, will be watched with a great deal of interest by the entire state.

The move is in the nature of an experiment to meet educational requirements of the space age and a society increasingly dependent upon technology. It drops outright some "social adjustment" courses and de-emphasizes others. It strengthens the academic program without eliminating essentials or weakening the liberal arts.

Unit requirements for graduation are being increased and allowances are made for abilities of individual students. Exceptional students could earn enough credits to qualify for college entrance at the end of 11 years of school. The school-day is being lengthened by about 20 minutes.

This curriculum revision in DeKalb follows a two-year county-wide study in which hundreds of parents, educational leaders and teachers participated. In presenting it to the Board of Education, Supt. Jim Cherry has the force of public opinion backing him. It is no sudden, hurried move in answer to criticism but a thorough and deliberate decision.

It is good to see parents of an entire county participating in such an undertaking. Only when such interest is shown can there be the genuine improvements to meet the needs of changing times.

Under the DeKalb plan an attempt is being made to put the most important things first. This necessarily leaves some of the activities which parents have surrendered to the schools once more as parental responsibilities. But here again the school and home must complement each other. Neither can substitute for the other.

Final success of the plan, of course, will depend upon parental cooperation and availability of qualified teachers. In launching the experiment, DeKalb has set an example which well might be the most significant in decades to the state's and even the nation's education methods.

Private School Plan Raises Many Doubts

Louisiana Weekly
14d(1)
P. 12
Sat. 4-5-58
New Orleans, La.

Editor's Note: Taken from the New South by Robert D. Fowler, Editor, Cobb County Times.

State Sen. Bentley, of Cobb, has expressed doubt over the constitutionality of Georgia's private school plan. In brief, he simply says that he doesn't think it will hold water. Sen. Bentley isn't the only legally trained mind holding this belief.

The question is of supreme importance to the Deep South at this time, particularly to Georgia. President Eisenhower has at last taken his stand on desegregation. In essence he has warned the South that final orders of the federal courts must be obeyed. If not, federal intervention will be the alternative.

Georgians have perhaps snuggled up in a cloak of false security since the approval of state legislation providing for closing public schools in case of integration. Under the questionable act, any public school ordered to integrate would become ineligible for state funds. The governor could then close the school and lease it to private persons or corporations. Upon the exercise of this authority each child of school age would become entitled to a grant from state and local funds to pay the cost of education in a private school.

But what about the legality of this law? Will it stand the test of constitutionality before the Supreme Court?

Expert legal authorities say no. In a book published this month by Rutgers Press-forebodingly entitled "Desegregation and the Law"—two lawyer authors provide valuable legal background on the desegration issue. Tracing previous rulings of courts—

stuff that law is really made of—the authors material which gives valuable clues on what to expect in the future.

Terming the Supreme Court's 1954 decision outlawing segregation in public schools as the most significant decision over rendered by an American court, the authors observe that what the South is now really doing lies somewhere between such extremes of "avoidance" and "evasion". In this respect, they note that it is perfectly proper at least as far as the courts are concerned for an individual or a state to attempt to "avoid" the consequences of desegregation "Evasion," on the other hand, is against the law.

One court decision after another forewarns that the Georgia law will probably be declared unconstitutional. While Georgia could indisputably claim the "right" to close down its public schools, it would surely run into trouble when it attempted to set up a substitute plan.

What these authors are saying is the same that other legal authorities have contended. This is, if Georgia is to avoid desegregation it must get out of the school business entirely and leave the problem of getting an education up to the individual.

We doubt if citizens of the state will buy a plan. For the great masses of people, public education is the only sensible and financially acceptable means of receiving an education. This is harsh reality perhaps, but why not call a spade a spade?

U.S. Court Retains Race Suit In Atlanta

Advertiser P.11

14(d)

Ga

Ala

Feb 4-58

ATLANTA (AP) — U.S. Judges have refused to dismiss one Atlanta suit against racial segregation and called for further argument in another.

Attorneys for the city had asked that an action brought by 10 Negro parents for their 28 children to end school segregation here be dismissed or sharply restricted.

But Judges Boyd Sloan and Frank Hooper rejected arguments that the U.S. District Court lacks jurisdiction, that the Negroes should have asked the city school board to admit their children and that the action be limited to those bringing it and not applied to others similarly situated.

Refusal of the judges to throw out or restrict the suit brings it a step nearer trial but the date may yet be a long way off. Court officials said they doubted that it will come to trial this year.

In the other segregation action, two Negro ministers, Samuel W. Williams and John T. Porter, demand that Negroes be allowed to sit where they please on city buses.

Montgomery Ala.

Hooper gave them 60 days to submit a further brief. He pointed out that they based their action last June on a bus integration order obtained by Negroes in Montgomery, Ala. But, the judge held, the Atlanta situation is different in that a criminal indictment is pending against the two clergymen for violating the Georgia bus seating law. He asked for an elaboration of their opinions on what effect the pending state charges would have on their suit.

ATLANTA — (INS) — A motion to have a suit against segregation in Atlanta public schools thrown out of court was overruled by two federal judges Monday.

Miami Fla.

U. S. District Judges Boyd Sloan and Frank A. Hooper overruled a motion made by Atlanta attorneys, which stated the suit should be dismissed or made applicable only to the plaintiffs themselves and not all Negroes.

P.3-A

Tues 2-4-58

Miami Fla.

The suit — brought up by 10 Negro parents on behalf of their 28 children — will probably not get to trial before next year.

14(d)

Federal Judge Hooper, Monday, also gave two Negro ministers 60 days to present a brief in their suit against segregation practices on Atlanta buses.

Ga

Rev. Samuel W. Williams and Rev. John T. Porter filed a suit last June asking that all segregation practices on buses be labeled unconstitutional.

U.S. Refuses Dismissal Of Mixing Suit

News + Courier

Charleston, S.C.

Tues, 2-4-58

ATLANTA (AP)—U.S. judges Monday refused to dismiss one Atlanta suit against racial segregation and called for further argument in another.

P.13-A

14(d)

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Ga

But Judges Boyd Sloan and Frank Hooper rejected arguments that the U.S. District court lacks jurisdiction, that the Negroes should have asked the city school board to admit their children and that the action be limited to those bringing it and not applied to others similarly situated.

Refusal of the judges to throw out or restrict the suit brings it a step nearer trial but the date may yet be a long way off. Court officials said no judge has been named to hear it or any date set for trial. They doubted that it will come to trial this year.

In the other segregation action, two Negro ministers, Samuel W. Williams and John T. Porter, demand that Negroes be allowed to sit where they please on city buses.

Ga

Hooper gave them 60 days to submit a further brief. He pointed out that they based their action last June on a bus integration order obtained by Negroes in Montgomery, Ala. But, the judge held, the Atlanta situation is different in that a criminal indictment is pending against the two clergymen for violating the Georgia bus seating law. He asked for an elaboration of their opinions on what effect the pending state charges would have on their suit.

'Private' Schools Are Not Private, Latimer Reports

Daily World

Atlanta Ga

Thurs

11-21-58

The Atlanta Board of Education released a statement Wednesday in which it declared it will not close down public schools to avoid federal integration orders. In fact, the statement issued by board president, A. C. Latimer, declared that "if this school system is ever closed down, it will be by tax authority and at the direction of someone other than the Board of Education."

Mr. Latimer said he hopes the statement would reassure parents worried that their children will not be able to receive educations in the near future after an expected attack of the state's segregation laws.

14(d)

He asked parents to be calm and keep informed on development.

Latimer's statement came several hours after State Rep. M. M. (Muggsy) Smith called for repeal of all laws on Georgia statute books that would "force the governor to close the schools."

MUGGSY SMITH

He proposed a local option bill for each school district to vote on the propositon: We want public schools or we do not want public schools.

P.1

Smith, of Atlanta, warned Georgians that "your schools will be closed when those in Atlanta are closed" due to potential federal court integration orders.

Smith spoke at the Spring Street elementary school's P. T. A. meeting. Smith's wife teaches at the school and his children are enrolled there.

Smith said "this is not a city-county fight. This is one time that all of us should join together in an effort to avoid the inevitable results of the closing of our public schools."

Smith's statement, and the board's report actually joined in ideal with an earlier statement by Mayor Hartsfield, who opposes the outright closing of schools without any attempt to work out agreement with federal officials.

BOARD'S STATEMENT

A text of Latimer's statement follows:

Daily Herald

Thurs

11-20-58

14(d)

"A continuous barrage of opinions regarding the fate of the Atlanta schools has been leveled at the people of this city. Many citizens are looking to the Atlanta Board of Education for leadership and guidance in this matter and have been critical of it for not takng a stand in the present hue and cry over the crisis in our schools.

"We are not unmindful of this criticism. We have endeavored to keep calm and to continue running the schools of Atlanta which we propose to do so long as it is possible. We would at this time like to reassure, the parents that we very much have their interests at heart and that we are endeavoring to the best of our abilities to protect their interests.

"We Further firmly believe that our primary duty and responsiblity is to educate the youth of this city.

"Since the members of the board of education and the superintendent are defendants in a suit now pending in the federal court involving the segregated school system of Atlanta, we cannot, as individuals or as a group in any way comment on this suit which has yet to be tried.

"However, we can and do fully understand and sympathize with the extreme interest in this matter which has been expressed by parents and teachers of Atlanta and their concern with the many questions which are now largely unanswered.

"It is the feeling of the members of the board of education that the parents and teachers of Atlanta have every right to seek answers to question which are of the concern of them; and the board official, refusal to comment at this time should not be interpreted by others as a suggestion that they should conduct themselves in a like manner.

"The Atlanta Board of Education has no plans to operate private schools for the very obvious reason that such a system would not be private if under the domination and control of the Atlanta Board of Education.

"Further, we have no plans to lease or sell any school property. The Atlanta Board of Education does not hold title to any of the buildings in the city system.

"The Atlanta Board of Education does not propose, nor does it have authority, to close down any or all schools. If this school system is ever closed down, it will be by the authority and at the direction of someone other than the board of education.

"For the time being, we would hope that citizens, parents and teachers remain calm, do not panic, but that they keep informed as to the situation confronting the schools."

14d(1) 1958 GEORGIA

Daily World 5-29-58 Atlanta, Ga.

UST BEFORE TRAIN TIME — Here is a sea of chool safety patrol boys and girls, their parnts and friends as they milled in Terminal tation just before "the D. C. Special" rolled p to take the patrolers to Washington for a two-day tour. Approximately 200 Negro children were among the 2,300 from Atlanta making the trip. Another group from Fulton County leaves today.—(Photo by Perry)

Daily World

14d(1) Ga

E. P. JOHNSON PATROL BOYS AND MOTHERS—A trio of school safety patrol boys from E. P. Johnson School get in some last minute conversation with their mothers while waiting to load on the special train to take them and 2,300 more boys and girls to Washington, D. C. Mesdames Beatrice Wyatt, Lena Leverette, and Marion Sheffield (l. to r.) wish bon voyage to their sons, Eustis, William and Alvesta.—(Photo by Perry)

eighborhood Basis" Cried

School Board Seeks To Halt Integration Suit

Daily World

By EDDIE WILLIAMS

The U. S. District Court has been asked to turn down the st of 10 Negro parents to prohibit the Atlanta Board of ion from segregating students on the basis of race.

5-27-58

quest for denial was filed by attorneys for the school who answered a complaint the Negro parents on behalf of their 28 children. It followed seven days on the heels of 's refusal to dismiss the

Atlanta Ga.

endants' attorneys said Atlanta public school students "Customarily attend schools in the neighborhood in which they reside and the enrollment of students in the schools they attend is now and for many years has been on a neighborhood basis."

14d(1) Ga

The defendants further stated the practice of neighborhood enrollment" has developed over a long period of years . . . and without direction on the part of school officials and without any idea of discrimination against white children or Negro children on account of race, color, or otherwise."

Such a practice, they said, "is in accordance with the wishes, as well as the habits and customs of the vast majority of the citizens of both races."

Attorneys J. C. Savage, Newell Edenfield, B. D. Murphy and others for the members of the School Board renewed their statement that none of the minor plaintiffs have either applied for admission to white schools or "been denied admisison to any school on account of race or color, or for any other reason."

U. S. District Judges Boyd Sloan and Frank A. Hooper last Monday overruled a motion to have the suit against public school segregation thrown out of court.

Daily World p.4

The petition, a suit in equity filed January 11, was entered as a "proceeding for a preliminary and permanent injunction enjoining the defendants from operating a segregated school system in Atlanta."

In moving to have the suit dismised, attorneys for the school board said the suit should be made applicable only to the plaintiffs and not all Negroes. The suit will probably not get to trial before next year.

Future of Our Schools Requires Planning Now

Constitution

Atlanta Ga.

Nothing more dramatically illustrates the fact there is no one-mindedness in the South on the issue of schools than what goes on in Virginia and Arkansas.

In Virginia the governor is giving sympathetic ear to parents who, in Norfolk, Charlottesville and Front Royal, are demanding local authority to reopen their schools. The state can give this authority. But no state funds can be paid to them.

Wed 10-1-58

P.4

1480

Ga

The parents have published their platform:

1. We are determined to pursue every lawful means to open our schools.
2. We are concerned with neither encouraging integration nor perpetuating segregation.
3. We oppose any private school system as a substitute for our time-honored public school system.

Indications are that schools in the larger cities will be reopened on a desegregated basis and that in January, or sooner, the Legislature will make funds available to those school districts which have chosen to retain their public school system.

In Arkansas Gov. Faubus, while fighting desperately to keep Little Rock's schools segregated, has allowed five other smaller cities which chose to do so to continue with desegregated classes, most of them in their second year of such operation. There are no plans for reopening the schools of Little Rock in evidence now.

Arkansas has, for a good many years, had Negroes in its university system and Virginia two years ago opened university doors to them.

The Southern picture always has offered these contrasts.

"The South" is no longer in complete resistance. It is the Deep South which understandably because of its old customs and traditions remains determined to close its schools when the court orders come. There will be some months, perhaps a year, before that dread day of decision arrives.

In the meantime, the people of this state and of the Deep South deserve some planning by their leadership. Obviously we cannot, as some have proposed, sell the 700 million dollars of school properties. Somehow we must educate our children. We owe it to them to give them a chance with the children of other states. If the state is not to operate schools, then it must somehow find a way to enable communities to do so. A states' rights program should include local rights.

Georgia Governor Bars Atlanta Desegregation

Post

Washington D.C.

Sun 11-16-58

1480

ATLANTA, Nov. 15 (UPI) Gov. Marvin Griffin called a special news conference today to announce that the State of Georgia will not permit desegregation of Atlanta public schools under any circumstances.

"The Mayor of Atlanta cannot throw in the towel for me or any other Georgian," Griffin declared.

"I am convinced that an attempt to integrate any school in any county of Georgia will be met with unprecedented resistance."

Georgia voters have approved a constitutional amendment favoring complete segregation of the state's schools, but Atlanta Mayor William B. Hartsfield has urged a "local option" vote on the issue in the state capital.

"The people of Georgia have spoken," Griffin said, "and I am not interested in what Bill Hartsfield or others who are soft have to say."

P.B3D

Most authorities agree that Atlanta probably will be faced with Federal court desegregation orders by next September. Two Federal court desegregation suits have been filed in Atlanta. One is a suit that would affect every public school in the city. The other involves the Georgia State College of Business Administration, a state-operated college in the city.

Griffin said resistance to any desegregation move in Atlanta would come from the State Administration and from "a majority" of the people.

He said he would be glad to sit down and try to reach a solution of the critical Atlanta issue with "anyone willing and who does nott want to throw in the towel." That includes Hartsfield, he said, but only if Hartsfield really wants to preserve segregation.

Griffin said some form of private school plan would work within the framework of the law in Georgia, but he declined to say whether any such plan had been formulated.

Plans Is Outlined To 'Sell' Segregation

TAMPA, Fla., Nov. 15 (UPI) A plan for the Southern states to build up a million-dollar fund to sell the North on Dixie's racial problem will be put before Florida Gov. Leroy Collins and his Cabinet.

State Rep. W. H. Reedy of Leesburg made the proposal yesterday at the biennial House caucus here. Reedy said he will put the proposal also before the legislature if new laws are necessary.

Under the proposal, nine Southern states would build up a fund to hire a team of public relations experts to go all over the North preaching segregation.

Their mission would be to "sell" the North on the problems desegregation would bring to the South, and get Northern aid in persuading Congress to override the Supreme Court's desegregation rulings.

The freshman House member said the team of experts would give segregation the same build-up Hollywood gives a new movie star.

Hearing Set

RICHMOND, Nov. 15 (AP) A public hearing will be held at the state capitol Dec. 9 by a Virginia Advisory Legislative Council committee studying requirements for qualification of certified public accountants.

Rep. Smith Urges Repeal Of "Private School" Laws

1480 Ga

Mayor Hartsfield's proposal that Atlantans be allowed to decide the future of their public schools drew extremely critical remarks Saturday from Gov. Marvin Griffin, who thus far has failed to discuss federal laws against school segregation other than to declare such will never happen in Georgia.

Gov. Griffin's statement at a specially called press conference was:

"The mayor of Atlanta cannot throw in the towel for me or any Georgian."

P.1

But the governor's blast apparently had little effect upon Mayor Hartsfield, who declared Saturday that "letting every system make its own choice is the only thing that will prevent complete destruction of education in Georgia — from the mountains to the sea."

Hartsfield added "the time has come for school officials, patrons and parents to speak up and take charge."

Atlanta Ga

He pointed out he was not "preaching" integration, but warned that Georgia has two school suits facing it at present and is considered "a front line of a legal fight which must eventually affect the whole state."

"In some counties," he said, "Negroes outnumber whites, a situation which would make integration obviously impossible. In other counties in North Georgia there are so few Negroes that there would be no problem. Each situation is different and needs to be handled as its own problem," he concluded.

REPEAL URGED

11-16-58

Meanwhile Saturday, Rep. M. M. "Muggsy" Smith urged outright repeal of all Georgia segregation laws which call for setting up private schools. Said Rep. Smith:

"It's now simply a question of whether or not we want public schools. All our old segregation statutes are dead anyway."

The veteran legislator declared he is as "strongly for segregation as anyone," but wants schools to stay open for all children and pledges to fight to keep them open. Furthermore, Rep. Smith says he would be 'willing" to introduce legislation at the next session of the General Assembly, in January, to repeal the state's segregation laws.

In nearby DeKalb County, Rep. James Mackay agreed in principal with Rep. Smith's proposal.

BROWN DEPLORES "CLOSING"

Also, Senator Charlie Brown deplored the idea of closing Georgia schools and released the following statement:

"It is my desire that every child of school age be afforded the opportunity of an education and I believe that it is the responsibility of our Government to see that this purpose is carried out. Further, I believe that the leaders of our community are desirous of carrying out this purpose, but that there are those who would welcome any discontent, strife and tension caused in this field of endeavor. It is definitely a time for all of our people in this area and community to work together in honest and sincere effort to solve the problem, which has caused so much unrest throughout other parts of the United States.

"I am definitely not going to make a statement at this time as to my opinion concerning any pending proposal as to a future course or policy on this matter. I want to weigh carefully and consider every proposal to see if our Public School System can be continued in operation without jeopardy to anyone.

11-16-58

"My only interest is for what is best for the children of this area and the State of Georgia, and I will work to the end that all of our children receive an education and not just a privileged few."

14d(1) 1958 GEORGIA SUIT

Defendants Ask Delay Of School Trial Here

Daily World

Atlanta, Ga.

Thurs.

10-23-58

p. 1

Two officials of the Georgia State College of Business Administration Wednesday asked Federal Judge Boyd Sloan to extend the date he set recently for trial of a suit filed by several Negroes against the college and its officers.

In a motion for continuance, attorneys for Noah Langdale, Jr., president and J. D. Blair, administrative dean, asked that the trial date be reset from December 1 to either December 8 or January 12, 1959.

The reason given for the extension is that both men are scheduled to represent the college at the annual meeting of the Southern Association of Colleges and Secondary Schools in Louisville, Ky., December 1-4. "Their constant attendance at the trial is essential in that one of the principal issues therein concerns the admission policies and regulations of the college ..." the motion said.

The suit was filed several years ago, and it seeks and injunction against the operation of a segregated college.

A battery of defense lawyers, headed by State Atty. Gen. Eugene Cook, notified Atty. E. E. Moore, Jr., counsel for the plaintiffs, that Judge Sloan will hear the motion on October 31 or "soon thereafter."

Political Notebook

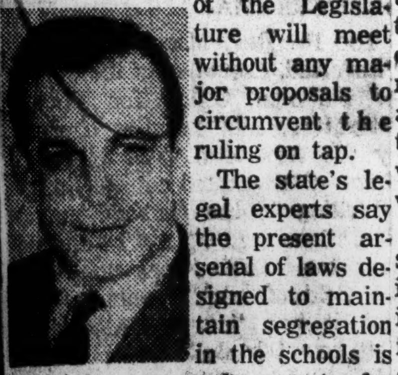
No New Bills Planned On School Segregation

14d(1) 93

By WILLIAM M. BATES
Constitution Political Editor

This year's session of the General Assembly may be notable for the lack of any major new legislation dealing with public school segregation.

For the first time since the Supreme Court's integration decision in 1954, a regular session of the Legislature will meet without any major proposals to circumvent the ruling on tap.



William M. Bates

The state's legal experts say the present arsenal of laws designed to maintain segregation in the schools is adequate for present circumstances.

This is the view of T. V. Williams Jr., executive secretary of the Georgia Commission on Education. The commission is the state's official agency for drafting anti-integration legislation.

Williams says the commission may not even meet before the Jan. 13 session gets under way.

NO MOVE YET

This does not mean that an individual member of the House or Senate won't introduce additional public school legislation. Bua nothing of a concentrated move has yet developed.

Some members have discussed the possibility of repeal of the state's compulsory school attendance laws. It was proposed by the Education Commission at last year's session but ran into a buzzsaw of opposition.

A compromise measure was enacted that authorizes the governor to suspend the compulsory attendance statute in any school district that might be ordered integrated by a federal court order.

REPORTED UNHAPPY

One of those reported to be unhappy with the compromise is Atlanta Attorney B. D. (Buck) Murphy, one of the state's leading attorneys in segregation matters and a member of the Education Commission. Murphy was one of those who argued for outright repeal of the mandatory attendance law; he was ill during the last session of the Legislature when the compromise measure was enacted.

The reasoning behind repeal or suspension of the attendance law is to prevent parents from being in violation of a state law for refusing to send their children to an integration-ordered school.

The segregation and race issue will be very much in evidence on at least two other fronts.

RESCUE BILL

Administration leaders in the House plan to try to rescue a bitterly fought bill at the last session which would ban interracial sports and social activities in Georgia. The House deadlocked over the bill on the last day of the 1957 session, but it remains the pending business.

A substitute probably will be offered to restrict the bill to organized professional sports. Sally League baseball would be the immediate victim of such a bill.

Constitution P. 1

In the past several teams in the league have had Negro players on their rosters. Georgia cities in this league include Savannah, Macon, Columbus and Augusta.

Jan 1-13-58

Major league winter training camps in Georgia would also be affected by the proposed legislation. Albany, Thomasville and Waycross are sites of such camps.

Atlanta, Ga.

The race question probably will arise in debate over tightening the state's voter qualifications.

The State Election Law Committee has come up with a number of sweeping proposals that would set higher educational and moral standards for voting.

Although the recommendations make no mention of race and would apply equally to whites and Negroes, their practical effect probably would be felt more by potential new colored voters than whites.

Incidentally, the member of the Election Law Committee who was most outspoken in wanting to stop "illiterate Negro bloc voting"—Colquitt Attorney Peter Zack Geer—will serve as an aide to Lt. Gov. Vandiver at this year's session.

Negroes Sue to End Atlanta School Bias

By The Associated Press.

ATLANTA, Jan. 11 — Ten Negro parents filed in Federal Court here today a suit for an injunction to end segregation in Atlanta's public schools.

It was the first attempt to break down Georgia's public school pattern, although other suits have tried to end racial segregation in colleges and on Atlanta's buses.

Gov. Marvin Griffin, a foe of integration, has declared repeatedly that he would close the schools of Georgia before allowing them to be integrated.

The attorneys filing today's suit were Thurgood Marshall, chief counsel of the National Association for the Advancement of Colored People; Constance Baker Motley, associate of Mr. Marshall in New York, and E. E. Moore Jr., Atlanta.

The suit named as defendants the Atlanta Superintendent of Schools, Miss Ira Jarrell, and the nine members of the Board of Education. It charges them with failing to integrate the schools in keeping with United States Supreme Court decisions and asks that they be enjoined from further segregated school operation.

Federal District Court officials said that no date had been set for a hearing. They added that ordinarily such injunction actions receive precedence, but, because of other court commitments, a hearing might not be held for a month or more.

No judicial assignment has been announced for the action.

The parents set forth that between June, 1955, and September, 1956, they intermittently petitioned the school authorities to comply with the Supreme Court decrees of May 17, 1954, and May 31, 1955. The officials, they add, not only did not comply but "failed and refused to make an official declaration of their intent."

As a result, they contend, Negro pupils have been deprived of equal educational opportunities and may suffer irreparable injury if relief is not forthcoming.

Parents bringing the action for their children are Willie Calhoun, Henry L. Harper, Leonard Jackson, Roosevelt Winfrey, Johnny Fears, Dock Putnam, Ralph Swann, David Lester, Hudie McDowell and Mrs. Ruth Smith. Twenty-eight children were listed as minor plaintiffs.

Included with those on the Board of Education as defendants is Dr. Rufus Clement, Negro member. The others are A. C. Latimer, Ed S. Cook, Allen L. Chaney Jr., L. J. O'Callahan, Obie T. Brewer Jr., Glen Frick, Mrs. Clifford N. Ragsdale and Harold Jackson.

The action is the third against segregation brought in the last eighteen months in this city of more than a half million population, capital of tightly segregated Georgia.

Pending in the Federal District Court are a suit brought by four Negro students late in 1956 for entry into the Georgia State College here and a suit brought by two Negro ministers in June against segregation on city buses.

14d(1)

Times P. 1

Jan 1-12-58

New York, N.Y.

14d(1)

P. 16

Times

Sun. 1-12-58

Georgia May Retaliate For Integration Lawsuit

ATLANTA, Jan. 13 (UP) — A suit by Negroes to break down racial segregation in Atlanta schools brought swift reaction from the state government today, including a threat to scrap plans for financing construction of 700 new classrooms in the city.

The suit was filed on behalf of 28 Negro children who asked in Federal District Court that the city be compelled to comply with the United States Supreme Court school integration decisions in elementary and high schools.

No Georgia school has bowed to integration attempts and the state has numerous laws designed to sidestep or ignore any such efforts. One would withhold state money from an integrated school.

Gov. Marvin Griffin told reporters the state "will not get excited" over the suit and promised "we will help the Atlanta school board if it calls on us."

Suit Called Unfortunate

[The suit was called "unfortunate" by the Governor and "insensible and foolhardy" by Lieut. Gov. Ernest Vandiver, Associated Press reported.]

Attorney General Eugene Cook urged "the two New York Negro attorneys" for the National Association for the Advancement of Colored People to withdraw the suit and said that course would be best for all concerned.

Cook said the action had:

- Made it necessstary for the legislature to give serious consideration to repeal of the law which requires all Georgia children to stay in school until they are 16.
- Disrupted plans of the state school building authority to finance construction of more than 700 classrooms in the Atlanta and Fulton County school system.

NAACP Objective

- Suggested the immediate possibility of the state withholding funds from any school that employs a teacher or official who contributes to the NAACP.
- Suggested an immediate investigation into the question of whether those responsible for the filing of the suit should be prosecuted for violating the 1957 Barratry law.

Under the Barratry law it is illegal "frequently to engage in exciting and stirring suits and quarrels" between individuals or between individuals and the state.

The attorney general, one of the most active segregation leaders in the South, said Griffin had "directed that I lend every "assistance possible" in defending the suit.

14d(1)

Post G. A-23

Jan 1-14-58

Washington, D.C.

Atlanta given delay in school suit reply

ATLANTA (NNPA)—The time for the Atlanta Board of Education to file its answer to the suit brought by 10 colored parents to end racial segregation in Atlanta public schools has been extended until March 11.

Federal District Judge Frank A. Hooper granted the extension at the request of the attorneys for the Atlanta school superintendent, Miss Ira Jarrell, and members of the Board of Education.

Afro American

Baltimore, Md.

14d(1)

Jan 2-8-58

Stop Georgia's School Funds, NAACP Chief Urges House

Constitution Atlanta Ga. 11A

Jan 2 2 58

Atlanta Journal Bureau
1427 G Street, NW

By HAROLD DAVIS

WASHINGTON, Feb. 1—Congress should stop Georgia from receiving federal money to build and operate segregated schools, a top NAACP official has told a subcommittee of the House of Representatives.

Clarence Mitchell, director of the NAACP's Washington bureau, told the Bailey subcommittee on general education that:

"While Gov. Marvin Griffin was boasting that his state would not accept federal aid because it would lead to integration, actually George already had $26,000,000 from the government that it is using to build and operate segregated schools."

14(d)

* * *

Ga

THE MONEY, which Mitchell says should be cut off, goes to Georgia under Public Laws 815 and 874. The statutes provide money for local school systems flooded with students as a result of influx of popunlation due to federal military and defense installations. Some Georgia school systems—particularly Cobb County—have received large grants under the legislation.

Several Georgians—most notably School Superintendent Paul Sprayberry of Cobb County—have appeared before the subcommittee here asking that the laws be continued in operation as they now stand.

Mitchell testified to the contrary. He said Georgia has been the source of "some of the most inflammatory defiance and the crudest attacks on the U. S. Supreme Court."

* * *

THE STATE LEGISLATURE, he pointed out, "has passed laws which revoke funds for any school that attempts to desegregate. It is a felony, punishable by two years imprisonment, for any school official of the state or a municipal or county system to spend tax money for public schools attended by colored and white children."

Yes, despite clear federal laws

New Barriers On Bias Emerge As Judicial War Spreads

P.1

Daily World

Atlanta Ga

14(d)

Jan. 25-58

The recent suit filed by a Group of Negro parents to integrate the Atlanta public schools, is perhaps the spur which caused the Georgia Legislature's acceleration in the enactment of anti-integration legislation.

This trend is typical in the South, particularly since the U. S. Supreme Court outlawed public school segregation in 1954. For more than three years, the Georgia bastion remained virtually unchallenged.

However, on the morning of January 11, a suit in equity was filed in the U. S. District Court to prevent the Atlanta Board of Education from operating its schools on a segregated basis.

New public school integration barriers have sprung up on the Georgia beaches as the threat of a judicial war on the segregation-integration issue hangs in the balance.

Last year the Legislature authorized the governor to suspend the Compulsory School Attendance Law in any district that was integrated by federal courts.

Now the Legislature is in a hassle over a proposal made by the pro-segregation Georgia Commission on Education to abolish the state school requirement. This measure was proposed by Gov. Griffin's forces to strengthen the state's segregation defenses.

But defenses must be shifted to enhance the advantages of the "defenders."

Fearing present law, giving the governor suspension power, is unconstitutional, integration opponents suggested outright abolition of the compulsory school law.

Within a few days the defenses may shift again. Rep. W. Colbert Hawkins of Screven County may introduce in the House a "compromise" plan which will implement the proposal made by the commission. This plan would keep the attendance law in effect as long as the school remains segregated.

Rep. J. Roy McCracken of Jefferson County has devised another compromise measure which would amend the present attendance law by saying it would not apply in the event the schools are closed.

His proposal is aimed at correcting a glaring flaw in the state's defense. Previous laws called for a mass shut-down of public schools if an integration order came. However, with a compulsory attendance law on the books, parents would likely violate the law if they did not send their children to schools which in effect, did not exist.

Daily World

P.5

McCracken's proposal would eliminate any law which would force parents to send their children to school in the event schools are shut-down in defiance of court-ordered school integration.

Some politicians are hailing this measure as the "panacea" to all possible avenues of attack.

Jan 24-58

The Legislature and legislators have been beseeched by many agencies not to destroy the public school system. One of the most forceful pleas came from the groups of white and Negro ministers who, in a declaration of principles on race relations, called for the maintenance of the public school system.

14(d)

If the military defense principle is to be applied to Georgia legislation, it must be remembered that there is no one good defense for all defeises are vulnerable to some offensive.

Ga

School Attendance Bill Being Studied

Daily World Atlanta Ga.

Fr. 2-14-58

Ga

14(d)

The Georgia Legislature is considering a new compulsory school attendance bill and may get a new proposal on registering and voting depending on the outcome of Gov Griffin's proposal which calls for re-registering and paying a $1 poll tax every two years.

P.1

The new proposal, which was drafted by Griffin and Rep. William Bodenhammer, states that parents of school children shall not be "guilty of a misdemeanor or subject to punishment for failing to enroll or send any such child to a public or private school, and no child shall be compelled to attend any school, public or private."

Griffin originally sponsored a proposal for an outright repeal of the compulsory school law. The House Education Committee voted Thursday to substitute for this measure one which would repeal compulsory attendance only in school systems closed down under previous state laws.

Both the substitute and the new proposals were apparently aimed at correcting a flaw in the original Griffin proposal for repeal. Previous laws called for a mass shut-down of public schools if an integration order came. However, with a compulsory attendance law on the books, parents would likely violate the law if they did not send their children to schools which, in effect, did not exist.

The difference between the outright repeal bill and the new bill is that the latter measure explains that state policy is "to encourage the education of children."

Meanwhile, Gov. Griffin has another iron in the fire. He has sponsored a measure which calls for re-registering and paying a $1 poll tax every two years. If this proposal is reported out of the House Rules Committee, it may be killed on the House floor and replaced by a measure which is considered a mite less radical.

If Griffin's avowed anti-Negro voting proposal is defeated, Rep. Howard T. Overby of Hall County plans to present a recommendation made by the Election Law Study Committee.

The committee proposes a new voter qualification test for illiterates and a constitutional amendment to make reading, writing and other tests requirements for registration.

The proposal also lists a number of crimes which, if committed, would make a person ineligible for registration.

While the Griffin re-registration and poll tax measures would be binding on Negroes and whites, it is believed tight registration qualifications outlined by the election study committee would be aimed primarily at Negroes.

The committee's proposal would apply to persons seeking to register while Griffin's measure would apply to voters whose names are already on the books.

Defense Granted More Time In School Suit

Daily World P.7 Thurs. 1-30-58
Atlanta Ga.

Defense attorneys in a suit seeking the end of racial segregation in the public schools of Atlanta, have been granted additional time to file defensive pleadings, it was revealed Wednesday.

The defense was granted until March 11 after pleading for more time in U. S. District Court. An order granting the extra time, said no objection had been made by plaintiffs in the suit.

14d(1)

The suit is listed officially as Vivian Calhoun and others versus A. C. Latimore and others.

Ga.

The petition, labelled class action, was brought in the name of a group of Atlanta parents and their children "who are eligible to attend the public schools, under control of the defendants."

Latimore is chairman of the Atlanta Board of Education. Other defendants are members of the board, including one Negro member, Dr. Rufus E. Clement, and Miss Ira Jarrel, superintendent of Atlanta Public Schools.

The defendants were normally given 20 days to file an answer to charges contained in the suit. Plaintiffs had asked chiefly that defendants be enjoined from refusing to permit Negro children "to attend any public school in the City of Atlanta, Georgia, which they are otherwise qualified to attend, solely because of their race and color."

ATLANTA ONLY

Racial Suit Trial Curb Bill Offered

ATLANTA, Jan. 28 (INS) — A bill was introduced in the Senate today which would prohibit hearing of segregation suits anywhere in the state except in Fulton County.

Times Union
P.18

The measure, authored by Sen. Jim Peters of Manchester, would provide that the State Board of Education establish domicile at the Georgia Capitol. Henceforth, any legal proceeding against the school board would have to be filed within the Fulton County limits.

14d(1)
Wed 1-29-58

Peters also introduced a bill which would allow the State Board of Education to revoke a teaching certificate "for good and sufficient cause."

Jacksonville
Fla.

Currently, local boards hire teachers and in a recent Gwinnette County case, the local board refused to follow a state board recommendation that a teacher who discussed the segregation-integration subject with her high school classes be fired. Peters' bill would take such options away from local boards.

TO KILL ATTENDANCE LAW

Times-Union
Jacksonville, Fla.

School Racial Bill Offered in Georgia

Fri. 2-7-58 P.28

ATLANTA, Feb. 6 (UP)—A major segregation bill, the first of the current Legislature, was introduced today in the House, proposing outright abolition of the state's compulsory school attendance law as a bulwark against racially mixed schools.

The bill was sponsored by Tift County Rep. William T. Bodenhamer, executive director of the Georgia States' Rights Council and a member of the State Board of Education.

14d(1)
Ga.

Proponents contend the measure is a fresh means of preserving classroom segregation but critics maintain it will result in a sharp drop in school attendance among both races.

The bill would remove the requirement that everyone must go to school until the age of 16 and Bodenhamer promised to "fight all the way" for its enactment.

Opposition, however, began building up in both houses even before it was introduced. At least one member of the Senate, James W. Paris of Winder, without elaborating, said today "I'll have to vote against that bill."

Legislative chambers emptied early today as most of the lawmakers left either for home or a long weekend junket to the coast sponsored by the State Game and Fish Commission.

The House Judiciary Committee went into its third executive session to study a resolution which would set up a committee to investigate the inter-racial Koinonia Farm at Americus and its chairman, Rep. Frank Twitty of Mitchell County, said a subcommittee probably would render a decision on the measure Monday.

Bills were introduced in the House proposing that all arrests for traffic violations be made only by the State Highway Patrol except in municipalities; to give the director of state parks a $2,000-a-year raise and to allow out-of-state game fish to be shipped into Georgia.

The measure calling for repeal of the attendance law was placed in the Education Committee of which Bodenhamer is chairman. If it is approved there, opponents have drawn an amendment which Bodenhamer argues will have a crippling effect on the bill.

The amendment, authored by J. Roy McCracken of Jefferson County, provides that abolition of the law would apply only to a school system threatened by integration and converted into a private system.

Sens. Glenn Pelham of Cairo and DeNean Stafford of Tifton introduced a bill to designate a guidance counselor in every school system in the state in an effort to assist students in selecting proper courses of study.

Another Senate bill would prohibit chiropractors from prescribing or administering medicine, performing surgery, practicing obstetrics and osteopathy or even prescribing vitamins.

The High Cost of Tampering With The Public School System

14d(1)

On the heels of the startling disclosure of woefully deficiencies in educational backgrounds among students recommended for matriculation in the government army academies, the state of Georgia still has those among the makers of her educational policies advocating the removal of the compulsory attendance law. This, many hold over on capitol hill, would indicate that if such a law is retained and the state schools are converted into private schools in order to get around the court decision outlawing segregation, the state would still be in the business of education.

Daily World P.6

This law, if repealed will open the flood gates for exits to those who really should not be allowed to leave school.

Some of those who oppose the bill cite the grave loss in enrollment, which will cut heavily into the daily average attendance record, thereby cutting off school appropriations made according to the daily average attendance.

Tue. 2-11-58

Not only would the class-rooms be cut, but a cut in teacher force would also result.

Atlanta, Ga.

Apparently no one has cited another sacrifice, more damaging in its aspects, the grave social problem which would ensue once these teen-agers are turned loose in the street. Such a menace would encourage many of them to be hanging around schools they attended, contributing to delinquency and unmoral practices. Such an encouragement this practice would lend to those who would otherwise remain at school, to throw down their books and follow their associates.

In time it would be hard to stem the flow from the school room and where the schools leave off the juvenile authorities would have to take over.

In the long run, not only the students but society at large would be the sufferer. Juvenile courts and penal institutions were never meant for a substitute for our public school system which it took generations to build and bring up to the present standard.

Destroy the public school—destroy the child!

40 SCHOOLS GETTING LESSONS BY TELEVISION

The Atlanta Board of Education TV station is beaming lessons into 40 schools in the city and is presenting evening educational programs for adults and pre-school age children.

World p.1

Station WETV (Channel 30) went on the air Monday and is operating on 219,000 watts Monday through Friday. Located at 740 Bismark Road, N.E. the station has a radius of 35 to 40 miles.

Feb. 2-22-58

The main purpose of the educational television station is to present standarized instructions for large and small classes via TV.

Atlanta, Ga.

WETV is presently involved in a two-year experiment to determine whether this new method of teaching is effective. Results of the programs will be determined through a battery of tests.

The experiment is being conducted by the school board Radio and Television Department which is headed by Haskell Boyter. Negro schools taking part are: Butler, Clement, John Hope, Campbell, Slater, Pitts, Crogman, Georgia Avenue, Johnson and Wesley elementary schools; Carver, Howard, Price and Turner high schools.

The in-school instructional programs include Health Science for eighth grades, General Science for ninth grades, American History for 11th grades, Social Science for seventh grades, and Science for third grades, according to Douglas Rumble, director of the TV project.

Rumble said all of the programs originate "live" at the Atlanta station except physics which is presented on film. Many of the city schools are tuned in to the programs which are transmitted via Ultra High Frequency, but only 40 are directly in the experiment, he stated.

Actually, two teachers are involved in the studio-classroom instructions. One is the classroom instructor, and the second is a studio teacher who handles the lesson from the station.

Rumble emphasized that the clasroom teacher will have just as many, or more, responsibilities as before. Her duties include summarizing lessons, extending the scope of TV instructions, grading, supervising and executing other tasks which go along with the teaching role.

Classroom teachers meet each week with the studio instructor to coordinate their efforts, make comments and constructive criticisms of previous lessons.

Between 7 p.m. and 9:30 p.m. Monday through Friday, families whose TV sets have been modified to receive UHF as well as the regular Very High Frequency (VHF) transmissions, will be entertained with educational programs for youngsters and adults.

VHF sets may be converted to UHF by TV repairmen. It was reported that the cost of the conversion depends on the model of the set.

The pre-school age programs were praised highly by Bob Reed, producer-director in charge of production. He mentioned in particular "The Friendly Giant" program which he said is "designed to put the kids to bed." Another kiddie program is "Magic Doorways."

Reed said adult programs are aimed at every area of adult education. These include "Spotlight on Opera," "The Religions of Man," and "Parents and Dr. Spock."

The Atlanta station, as are the 28 other educational channels throughout the country, is an affiliate of the National Educational Television (NET) network which has headquarters in Ann Arbor, Mich. NET, which is financed in connection with the Ford Foundation, is considered a program development center and is responsible for coordinating the efforts of the various stations and for furnishing films and other materials used in the studios.

WETV is financed jointly by the school board and the Ford Foundation's Fund for the Advancement of Education.

THIS CAN BE YOUR YEAR OF SUCCE
ART
OUR WORK

Atlanta, Ga.
Tues 2-25-58
p.1

TELEVISION CLASSES ADAPTED BY ATLANTA PUBLIC SCHOOLS—Mrs. Andrades Smith's 7th grade class of Georgia Avenue School gets TV lecture on up-to-date communications as part of their social studies curriculum. This is typical of the TV classrooms at ten Negro elementary and four high schools, where students view instructional lectures in history, general, health, and social sciences, and special subjects for third grades. The educational television station, WETV, operates from channel 30. —(World's Photo by Perry)

14d(1) 1958

GEORGIA

Talmadge Optimistic on Private Plan

Constitution

Sen. Herman Talmadge said Sunday that he does not think the Supreme Court can keep a state from making private tuition grants if the state has that provision set out in its constitution.

Sen. Talmadge appeared on Press Gallery, WSB-TV television panel show, sponsored this week by The Atlanta Journal.

P. 1

"We must try every method we can devise to keep our schools from being integrated," Talmadge said. "Private schools are certainly better than integration and the evils inherent therein."

Georgia's junior senator warned that with liberals in control of the upcoming Congress "the South will be in its most precarious position since Thaddus Stevens."

(Stevens was a member of Congress during the Reconstruction period who advocated doing away with the Southern states and setting up military districts.)

Talmadge said he doesn't like the idea of a third party. "It would cost Southerners like Sen. Russell and Rep. Vinson their important committee chairmanships," the junior senator said.

"We must constantly reappraise the political situation from day to day. We must wait and see what a candidate and the platform are in 1960, and then take the best course."

Constitution

Talmadge explained that a political party "can't be organized from the top down. There has to be a grass roots support for any party to operate. Such support would be necessary for any third party."

Mon. 12-15-58

If liberals in the Senate are able to do away with free debate, or the filibuster, it would change the Senate into "just a mob of 98 men," Talmadge said. "Such a move sponsored by Walter Reuther (United Auto Workers leader) and ADA (Americans for Democratic Action), has been coming up since 1954 and has gained strength. If the liberals can gain as much as 10 more senators, and with Nixon voting their way, they can pass such a resolution to do away with free debate."

Talmadge said that in the past a coalition of conservative Democrats from the South and some Republicans had been able to wield enough power to limit the actions of congressional liberals. "But now I can't find any difference between Modern Republicans and Douglas Democrats," the junior senator said.

Asked about the Civil Rights Commission investigation into Alabama voting rights, the senator said that he had not investigated the legal angles of the Alabama officials' stand on not producing voting records but that "it is my opinion that the Alabama notoriety will react to our harm."

"Why, one senator in the North campaigned on the idea that 'we licked the South once and we can do it again'," Talmadge said. "That is the attitude of many representatives and senators who will take seats in the 86th Congress."

PTA To Discuss Integration Issue

Atlanta Constitution

By MARION GAINES

The integration threat to Atlanta schools will probably be brought before the Atlanta Council of Parent-Teacher Associations Thursday, The Constitution learned Tuesday.

Atlanta, Ga.

Although the council's formal agenda for the session at 10:30 at E. Rivers school does not include the segregation question, virtually all of the 28 city PTA presidents contacted by The Constitution said they expected the public schools issue to be a prime topic of discussion.

Wed. 12-3-58

Mrs. A. C. Dunn, president of the Atlanta PTA Council, told a reporter she anticipates the segregation question "will be discussed" at the meeting.

P. 1

Asked if some kind of resolution were being prepared by the council's executive board, she replied, "Possibly."

"I feel sure the question will be brought up from the floor at least," said Mrs. F. W. Head, first vice president of the council, which is composed of about 400 delegates representing 81 Atlanta PTAs.

The president of the state's largest individual PTA told The Constitution he is opposed to resolutions on the public school question because "they do nothing but give aid to those who are wanting integration."

Hubert L. Harris, head of the 2,200-member Grady High School PTA, said he "would definitely be opposed at this time to any resolution 'to save the public schools.' "

"Our public officials are going to do the best they can to work out a reasonable solution to this thing," said Harris. "I think any resolutions that are passed now might tend to prejudice the suit that is pending."

Constitution

The suit in question is one filed by parents of Negro children here seeking to prevent the city school board from operating segregated schools.

SPEAKS AS CITIZEN

Grady High School is considered among the high schools in Atlanta most likely to be affected by any federal court decree ordering integration in the city school system. Two others, Bass and Smith, may be affected immediately by such a decision.

Wed. 12-3-58

"Of course, I am speaking as a private citizen and not for the Grady PTA," Harris said. "Our next meeting is Dec. 9 and I am hopeful that no resolutions will be introduced then because I feel they just don't do any good."

"I would be opposed to any resolution that might be introduced at the council meeting Thursday," he said.

HAS RESOLUTION

Other PTA presidents said they felt resolutions on the segregation issue would be offered from the floor of the council session Thursday.

"I will be at the meeting with resolution in hand," said attorney Lanier Randall, chairman of the Cascade Elementary PTA's citizenship and legislation committee. "Whether I'll be permitted to introduce it, I don't know."

Randall was the principal author of a resolution approved last month by the Cascade PTA urging Fulton legislators to introduce a "local option" bill at the January session of the General Assembly.

SECRET BALLOT

Most of the PTA presidents questioned by The Constitution said their organizations have not yet taken any individual action on the segregation issue.

Mrs. Thomas C. McPherson, president of E. Rivers PTA, said her organization is in the process of mailing secret ballots to members asking them to vote on two questions.

"We're asking them to say whether they favor public schools or not public schools, assuming the schools cannot be maintained without some degree of integration," Mrs. McPherson said.

LOOKS FOR GUIDANCE

"We're also asking them to vote for or against a resolution that the Atlanta PTA Council should work for the preservation of public schools," she added.

Efforts are being made to conduct similar polls at the seven other elementary schools in Area III, Mrs. McPherson said.

Mrs. Thomas B. Tower, president of Inman PTA, said she thinks "the Atlanta council represents the PTAs of the city and should give us some plan or some rules to go by."

NO ACTION YET

"Inman PTA has taken no action yet, but our executive committee will recommend to our PTA board Monday that we work to keep the public schools open," Mrs. Tower said.

"I'm certainly anxious to attend the council meeting Thursday," said Mrs. I. C. Jackson, president of Goldsmith PTA. "I've heard there may be some resolutions offered from the floor if the executive board of the council doesn't come up with something."

"We haven't taken any particular stand yet," said Mrs. S. G. Azar, president of Grant Park PTA, "but the general sentiment out here seems to be in favor of having private schools rather than integration."

14d(1) 1958

GEORGIA

The Gallup Poll

Dixie Majority Expects Desegregation Eventually

14d(1)

By George Gallup

Director, American Institute of Public Opinion

PRINCETON, N. J., Oct. 14 Faced with one set-back after another in the courts, a growing number of white Southerners admit, however, reluctantly, that they believe general intergration will eventually come to the South.

At the same time, as schools in Arkansas and Virginia remain closed rather than integrate, there has been a sharp rise in the number of Southerners who look for racial tensions to increase rather than lessen in the South in the immediate future.

Just over a year ago, before the advent of trouble at Little Rock, the Gallup Poll recorded a stiffening resistance to the idea that integration in the schools, in restaurants and other places would ever come to the South — substantially fewer white Southerners felt this would happen than did so in early 1956.

But, as the following figures show, a large proportion of those Southerners who were uncertain about this prospect a year ago have now come to the point of view that general integration will at some future date come to the states of the South:

"Do you think the day will ever come in the South when whites and Negroes will be going to the same schools, eating in the same restaurants and generally sharing the same public accommodations?"

SOUTHERN WHITES ONLY

	Today	1957	1956
	%	%	%
Yes, will come.	52	43	55
No, will not....	37	38	33
Uncertain.....	11	19	12

Another question asked was:

"Do you think the situation in the South between the races will get better or worse during the coming year?"

NATION-WIDE

	To-day	Aug., '57	Jan. '57
	%	%	%
Will get better	29	32	41
Will get worse	48	42	35
No difference	9	9	11
No opinion..	14	17	13

SOUTH ONLY

	To-day	Aug., '57	Jan. '57
Will get better	23	25	33
Will get worse	59	51	46
No difference	6	8	10
No opinion..	12	16	11

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MANY CAUTIOUS ON INTEGRATION

14d(1) general

Gallup Poll Shows U.S. Divided On Big Issue

By GEORGE GALLUP

Director, American Institute of Public Opinion

PRINCETON, N. J. — When should communities in the Deep South where Negroes outnumber whites be required to integrate their schools — immediately, gradually or never?

As Little Rock, Arkansas schools remained closed rather than accept the Supreme Court's decision to integrate immediately, a nationwide Gallup Poll finds this is the public's thinking on a "timetable" for the Deep South:

11. **For every per son** who believes that communities in the Deep South should integrate immediately, there is another who feels that in areas where colored children outnumber white children integration should never be required.

2. **To many Americans,** however, the solution to the integration problem lies somewhere between these two extremes, that is, they believe desegregation should be accomplished in a few years, or at most, within 10 to 20 years.

3. **Although much** of the opposition to ever integrating comes from the 13 states of the South, there are significant numbers of voters in other regions of the country who feel that Deep South communities where Negroes outnumber whites should never be required to integrate.

4. **At the same time,** a significant proportion of Southerners do feel that integration should be introduced in the Deep South schools at some time. About one Southerner in four, in fact, said he would like to see the Deep South integrate either immediately or within the next few years.

As state and Federal authorities continue to clash over one of the most pressing domestic problems the U.S. has ever had to face, Gallup Poll reporters asked this question of persons in all major population groups, including the correct proportion of whites and Negroes in the North and South:

"In many communities in the Deep South states, the number of colored school children is greater than the number of white school children.

"Would you say that these communities in the South should be required to integrate schools immediately, should they be given a few years to do this, should they be given a longer time such as 10 to 20 years, or should they not be required to integrate at all?"

Here is how replies from across the nation line up:

WHEN SHOULD DEEP SOUTH INTEGRATE?

Immediately	29%
In few years	25
10 to 20 years	8
Never	31
Uncertain	7

The greatest amount of support for immediate integration is found in the Far West where nearly four persons to Ten believe the communities in question should be required to integrate immediately.

On the other hand, about one persons in six in the Far West feels that integration should never be required in Southern communities where Negroes outnumber whites.

DEEP SOUTH ONLY

It should be pointed out that the survey question dealt only with Deep South communities where Negroes outnumber whites and not with the total South. In many areas of the South — particulary the Border States — the proportion of Negroes is relatively low and integrated schooling has already proceeded on a limited basis.

But even when considering integration throughout the South, the public has tended to take a viewpoint of gradualism.

GRADUALISM PREFERRED

In the spring of 1956, for example, before the trouble at Clinton, Tenn. and Little Rock, seven out of ten persons felt a gradual approach to the problem of integration was a wise course. Less than one in five at the time called for integration within a year.

If the number calling for immediate integration today is larger than it was then, the increase can perhaps be attributed to the sentiment of many who cite the trouble at Little Rock and comment:

"They've got it started now; there's no sense putting it off any longer."

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GEORGIA

14d(1) 1958

The Suit To Desegregate City Schools

A suit seeking the end of racial segregation in the public schools in the City of Atlanta was filed in federal court here Saturday morning. This is being done at the behest of persons allegedly, parents of "one or more minor children who are eligible to attend the public schools" under the control of defendants who are members of the Board of Education of Atlanta and Miss Ira Jarrell, Superintendent of the city school system.

Thusly, what has been rumbling in the dim distance among other Boards in a like situation, comes into closer focus to the citizens of this community.. 1/14/58 P. 6

At some time or other, it was but natural to expect some gesture in this area, in the face of what has been happening over the South in many communities. Both sides have had the time to be conditioned for a common sense approach to what apparently would inevitably come.

We did not know this suit was to be filed, but whether the action on the part of those who would cause a showdown at this time is in its timing and tenor for the best of all concerned, would now be beside the point. It can only be said, therefore, in interest of harmony and the benefit of all concerned, it would highly become all affected to do as the court sought to do in calling those who would appear as friends of the court to resolving this issue in a spirit of supporting the principle of law and order.

It is felt that the best minds and manners would be enlisted in this situation, now definitely before us, which would enhance our efforts and talents in the field of better relations.

NAACP Leader Attacks Suit Threats, Editorial

14d(1) Ga.

By the Associated Press

Thurgood Marshall. chief council of the National Association for the Advancement of Colored People, said Saturday that threats will not stop the NAACP's suit to end segregation in Atlanta's public schools.

The statement was in an address prepared for the second annual Freedom Dinner of the Atlanta branch of the NAACP.

Marshall referred to a suit filed in Federal Court in Atlanta Jan. 11 by a group of Negro parents.

It was the first attempt to break down the traditional pattern of public school segregation in Georgia although other suits have tried to end segregation in colleges and on Atlanta buses.

Gov. Marvin Griffin of Georgia said he would close the schools if the suit to integrate Atlanta schools was successful.

The NAACP official said that many people in such Deep South states as Georgia were "urging us to take no action whatsoever to secure our rights" and also were saying that discussion of problems between Negroes and whites in the South is no longer possible.

Constitution P.5

Marshall then quoted from an editorial in The Atlanta Constitution a week ago which said in part: "Responsible white and Negro leaders in Atlanta have worked in an atmosphere of harmony and good will for the benefit of all—without integration. They will continue to do so if rabble-rousing politicians and the NAACP will let them alone."

Mon. 1-13-58

Marshall said, "Who is there in a responsible position on the Atlanta Constitution, employed by that newspaper who can speak for the Negro? If they want to know about the Negro, they would do well to discover the Negro.

"Secondly, note that in the above quoted statement they set down the minimum terms for discussion which is that there must be a plan without integration. Here again, we have the same general terms, unrelenting and determined defiance of the law of the land. We cannot be a party to discussion or agreement in violation of the law of the land.

"If The Atlanta Constitution, the School Board, the City of Atlanta or any other responsible body of people want to discuss with the Negro leadership of Atlanta on an equal basis with equal recognition, then I strongly recommend that the responsible Negroes in Atlanta enter into such an agreement."

Daily Worker Is Dead; Goes Out Screaming

NEW YORK (AP) — The Daily Worker, main voice of communism in the United States, died with today's edition.

Publication was suspended on its 34th birthday. Lack of financial support killed the paper. Its weekend edition, called the Worker, will continue—at least until next Sunday.

Daily News P.10

Today's Daily Worker carries two banner headlines shouting defiantly: "We'll be back! Fighting for peace, democracy and socialism."

14d(1)

The paper's demise came a few days after John Gates, its editor in chief, resigned from his post and from the party.

Ga.

CHARGES 'MURDER'

Gates, who had refused to have the paper follow a strict Moscow line, charged the decision to abandon the Daily Worker was "murder" by party officials who no longer were able to control the paper.

Mon. 1-13-58

An official of the printing company which handles the paper said the Sunday Worker is deeply in debt to the firm and that only next Sunday's edition will be printed.

However, Elizabeth Gurley Flynn, a member of the Communist National Committee, wrote in today's issue of the Daily Worker: "The possibilities for resumption of the Daily Worker depend now upon the unfailing constructive efforts we all put into the Worker. We cannot allow deflections from our ranks to demoralize or demobilize us."

George Morris, labor editor, said in his column today that even in its best days the daily's circulation wasn't much above 40,000.

The last press run was 10,000 copies, 3,000 higher than the recent normal run.

Griffin Blames Integration Suit On 'Moderates'

Constitution p. 1

Atlanta, Ga

Vandiver's Forces Hit Spending

Wed. 1-15-58

By **WILLIAM M. BATES**
Constitution Political Editor

Gov. Griffin's proposed $50 million boost in Rural Roads Authority spending met strong opposition Tuesday from supporters of Lt. Gov. Vandiver but Griffin vowed to fight for it.

Legislative reaction to Griffin's hour-long message to the Legislature left no doubt that the rural road proposal will be the most controversial point in the governor's program at this year's session.

The proposal was already deeply involved in the political maneuvering looking toward the summer gubernatorial campaign even before Griffin formally outlined it to the lawmakers.

PARTISAN LINES

Immediate reaction to the road-spending proposal generally followed partisan lines.

Many staunch friends of Vandiver, an unannounced candidate for governor, spoke out against the Griffin proposal. But it drew support from most of the governor's legislative leaders.

In the middle was a sizable bloc of legislators who declined to commit themselves one way or another.

The recommended hike in the bonding capacity of the Rural Roads Authority from $100 to $150 million was seen by some as a strong hint that Griffin is getting set to go to bat for the gubernatorial candidacy of Roger H. Lawson.

BACKS PROGRAM

Lawson, who resigned last July as Griffin's highway chairman to run for governor, has spoken far and wide on the need for extending the rural road program.

Griffin, at a press conference denied that he was supporting any candidate. He said his only interest in proposing the increase was to see that "the rural areas get some hard-surface roads."

"I'm not throwing my support behind anybody," he said. "I'm interested in doing something for the people."

Constitution p. 16

He said the Rural Roads Authority "was my program to begin with and it's my program now."

Wed. 1-15-58

"I'm going to fight for it," the governor declared.

Vandiver, who is spearheading opposition to the proposed increase, reaffirmed his opposition following Griffin's speech. He claims the proposal eventually would cost the taxpayers $68 million in principal and interest.

"I know the need for rural roads," Vandiver said. "But $68 million is a lot of money.

"I think we ought to look at it from the standpoint of a possible tax raise or in the alternative of cutting county aid, old age pensions, the school program or health and welfare services," the lieutenant governor said.

As might be expected, opposition to Griffin's road proposal appeared to be stronger in the Senate than the House. Vandiver is presiding officer of the Senate and is in firmer political position in the upper chamber.

The bill to carry out the governor's recommendation is expected to be introduced within the next few days in the House where the first test of strength will occur.

Sen. Hugh Gillis of Soperton said he saw no point "in borrowing money for rural roads when we've got the money in the Highway Department for them . . . there's no point in paying that interest."

CALLED POLITICAL

Sen. Bobby Lee Cook of Summerville termed the governor's proposal "a political gesture on the part of the administration calculated to raise funds for the chosen gubernatorial candidate of Gov. Griffin."

Others speaking out against the proposal were Senators William P. Trotter of LaGrange, Charles Garrett of Nashville, Fred Bentley of Marietta and Carl Sanders of Augusta.

Senate support for Griffin's proposal came from Sen. Peyton S. Hawes of Elberton, Griffin's floor leader, and Sen. F. Everett Willians of Statesboro, a close friend of the governor.

Hawes said the question is whether "the rural road program has been good." He pointed out the additional $50 million would be spent by the next administration.

STRONG SUPPORT

In the House, Speaker Marvin Moate of Hancock County strongly supported the additional spending and said he did not agree that it would "bankrupt" the state—a charge made previously by Vandiver.

House leader W. Colbert Hawkins of Screven County said he "assumed that the engineers had studied the proposal and had concluded the additional 50 million dollars is needed to complete the program."

Hawkins and Moate predicted House approval of the measure, Moate by an "overwhelming margin."

Such administration House stalwarts as Rep. Robert L. Scoggin of Floyd, Robert E. Chastain of Thomas, John E. Sheffield of Brooks and Ben Jessup of Bleckley lined up behind the governor's proposal.

However, two representatives usually considered members of the administration team said they were opposed to the proposal. Reps. Howard T. Overby of Hall and Harvey Roughton of Washington said they were opposed to a further increase in the bonded indebtedness of the state at the present time.

Three other veteran legislators who indicated opposition to the governor's proposal were Representatives Frank Twitty of Mitchell, George L. Smith II of Emanuel and Charles L. Gowin, of Glenn.

Rep. William Freeman of Monroe said he did "not want to exclude" the governor's proposal but suggested the Legislature should "explore" the possibility of enacting a new appropriations bill which would automatically give the Highway Department an additional $20 million.

Griffin's recommendation that the Legislature purchase Stone Mountain drew general support but a few dissents.

The Stone Mountain proposal does not have the political overtones that surround the road spending proposal. Vandiver supports the governor's position on Stone Mountain.

Staff Photo—Ryan Sanders

RIPS AT "MODERATES"
Gov. Griffin

Staff Photo—Ryan Sanders

NUMBER TWO MAN GREETS STATE'S FIRST LADY
Lt. Gov. Vandiver at Stand With Mrs. Griffin

Political Notebook

Private School Idea Is Fast Fading Out

14d(1)

By WILLIAM M. BATES
Constitution Political Editor

MACON—Georgia political leaders are reappraising their strategy in the fight to maintain racial segregation in the schools. They appear to be abandoning the so-called private school plan as a solution.

Constitution

10-15-58

The changing political approach to the integration threat was pointed up clearly by several developments at the state Democratic convention here Tuesday.

Bates

P. 1

There was no lessening of all-out opposition to the Supreme Court's desegregation decisions or in the determination of the state's political leadership to prevent integration by one means or another.

Atlanta Ga.

Gov.-nominate Vandiver and other convention speakers spoke out in strongest terms against efforts to force race mixing in the state schools. And their stand was reaffirmed by the party's platform and by the usual resolutions denouncing the Supreme Court.

Wed. 10-15-58

But significantly, not a single mention was made of the private school plan which the state heretofore had pinned its hopes for avoiding integration.

It wasn't expressed in so many words, but there seemed to be general recognition by those in charge here that the private school idea already has been knocked out by federal court rulings in Arkansas and Virginia.

Albany publisher James H. Gray, the convention keynoter, came close to stating the blunt fact that the courts have now closed the door to all legal resistance to integration short of abandoning public education entirely.

Constitution

Wed.

"The most recent ruling of the high court on this issue," Gray said, "which decided in advance a case not yet argued before it and which still is in process of being contested in a lower court, makes this disagreeable point crystal clear: that, in the court's mind, the individual states and communities of this nation have no freedom of choice whatsoever with respect to integration, that integration must proceed at once and those who will resist it will do so at the expense of public education as the United States has known it for many, many years."

Gray, of course, said Georgia and the South must fight against the court's desegregation efforts. But his frank view of the situation confronting the segregationists has seldom been expressed from a political rostrum in Georgia.

14d(1)

STATE GRANTS

Ga.

Up to now hope has been held out by the politicians to the people that the private school plan, based on state tuition grants to individual students could surplant the public school system should it be closed to avoid integration.

Vandiver, while vowing to fight integration at his command, avoided any mention of the private school idea in his address to the convention.

"If a federal court orders a Georgia school integrated, it will mean the end of the public schools for both the white and colored in the area affected," Vandiver said. "Georgia is prepared to meet the challenge and meet it she will."

PLATFORM PLANK

Vandiver did not say how the challenge would be met. But the convention approved a platform plank clearing the way for a whole new field of legislation to cope with the impending crisis.

"We must enact such laws and adopt such amendments to our constitution as may be necessary to meet this emergency, to safeguard our institutions, and to put our schools and our school property beyond the reach of the federal courts," the platform declared.

This apparently means that a new approach to the integration problem is in the wind. Two possible courses of action discussed by some leaders here were the outright sale of public school property, including that belonging to the State School Building Authority, and removal of all references to public education from the constitution.

MUST MOVE FAST

Whatever plan Vandiver and his advisors may be considering, they must move fast if it is to be put into law before the crisis comes in Georgia. There are predictions that the Atlanta school system may come under an integration order by next September.

The private school plan was sold to the people as a "weapon of last resort" to avoid integration. The question now is, what comes after the "last resort"?

Atlanta Asks to Steer Own Course on Schools

14d(1)

Post
Washington
D.C.
Sat 11/15/58
P. A8

ATLANTA, Nov. 14 (AP) Atlanta's Mayor William B. Hartsfield today demanded that the State of Georgia "let the people of Atlanta be the jury to decide the fate of her own schools."

The Mayor's statement came shortly after the city's fourman legislative delegation pledged itself to keep the public schools operating if there is any way to do it.

It has been widely forecast that Atlanta schools will have to close next September if Negroes are ordered admitted and State laws aimed at blocking racial integration in classrooms are invoked.

As the prospect of school closings has become stronger there has been increasing demand from Atlantans that the city keep its schools operating even if it means acceptance of some integration.

Under present State law, this could not be done and Hartsfield called for modification of State law to put the decision in the city's hands.

At a citizens' meeting Thursday, there was strong demand that the schools be kept in operation even if this meant integration. The lawmakers joined in the feeling that the schools should not be closed but warned that keeping them open would be extremely difficult.

Rep. Ralph McClelland said he had found 95 per cent of the children want to keep the schools open, regardless, and Mrs. Edmund Phillips, mother of two children, said she and "many, many more parents" desire the same thing "above all else."

Miss Mildred Kingloff, an Atlanta attorney, declared:

"The leaders must listen to what the mothers and children are saying. If it is a question of no schools or integrate, let's integrate." She urged "people with backbone" to come forward and support continued operation of public schools.

Closing of Schools Is Worst Solution

14d(1)

Constitution
P. 4
Atlanta Ga.
Tues 11-18-58

Mayor Hartsfield is quite correct in assessing response to his stand on local option school closing as indicating that people genuinely are worried. His correspondence as well as that coming to this office indicates that the great majority of people do not want the public schools destroyed.

Court actions in other states show that many of Georgia's laws intended to preserve segregation will not hold up. The state's leaders are thus faced with coming up with solutions which will stand court tests or risk closing of the schools.

Destroying the state's public school system would be an incalculable disaster. Private schools which would permit education at best for less than half the children cannot meet the needs of a state whose economy is expanding and which needs more, not less, education. Closing the schools would become, too, a political issue which in time would destroy those responsible for it.

The test of Georgia leadership to come up with some method of preserving the public school system is one of the greatest challenges of our history. Certainly ideas now being put forward are better than to let such a situation develop in Georgia as has occurred in Little Rock.

Mayor Hartsfield's suggestion that the people concerned be allowed the privilege of referendum on whether or not to close the schools at least has the merit of the democratic process. Speaking for a system which affects more people than any other, the mayor does not want the disaster of no schools to hit a city which has more to lose than any other in the state.

There must be discussion of the problem such as we've seen here recently and solutions somehow must be found. Certainly the situation in Little Rock is so tragic that almost anything would be preferable. We must not let ourselves be led down the same path to near self-destruction. Our leadership is challenged not to let it happen.

'ATLANTA MAYOR CAN'T THROW TOWEL IN FOR ANYONE'

Griffin Says Georgians Firm On Segregation

Montgomery
Advertiser

ATLANTA (AP) — Gov. Marvin Griffin insisted Saturday that Georgians are more resolute than ever on the segregation question and said "the mayor of Atlanta cannot throw in the towel for me or any other Georgians.

His statement at a special news conference was prompted by Mayor Willam B. Hartsfield's proposal Friday that Atlanta voters be allowed to decide whether to close schools rather than integrate them.

Sun. 11-16-58

Earlier, Lt. Gov. Ernest Vandiver who will succeed Griffin as governor next year, without mentioning Hartsfield's proposal directly, said he has been conferring with attorneys and will have recommendations of his own to make to the 1959 legislature.

In a prepared statement to the news conference, Griffin declared, "I firmly believe that the people of Georgia are more resolute today than ever before to protect sovereignty of this state.

"I am convinced that an attempt to integrate any school in any county of Georgia will be met with unprrcedented resistance.

"On the whole subject of school integration, the people of Georgia have already spoken at the ballot box in approving a constitutional amendment preserving segregated schools.

"The mayor of Atlanta cannot throw in the towel for me or any other Georgian."

The constitutional amendment Griffin referred to was the so called private school plan. In reply to a question, he said private schools could be operated as a last resort.

"If the people remain resolute, we can win this fight," the governor declared. "Something must be done to preserve constitutional government in this country and Georgia and some other Southern states are the last bulwark."

Griffin also said he would be glad to sit down and discuss the situation with any Georgian interested in preserving segregation, but "that doesn't include Mayor Hartsfield if he wants to throw in the towel."

Hartsfield also had more to say on the subject. "The time has come," the mayor said, "for school officials, patrons and parents to speak up and take charge."

He added the hope that "people will not think I am preaching integration or praising the supreme court."

But he said, "the state ought to be willing to let each system make its own decision. Atlanta is merely the front line of a legal fight which must eventually affect the whole state.

"In some counties, Negroes outnumber whites, a situation which would make integration obviously impossible. In other counties in North Georgia there are so few Negroes that there would be no problem."

Georgians Act To Head Off Possible Public School Suits

Montgomery
Advertiser

ATLANTA (AP) — The state board of education acted Tuesday to head off the possibility that one lawsuit against it might serve to desegregate the state public school system as a whole.

And the board heard chairman George P. Whitman Jr., of College Park demand that the legislature be told how much money is needed to operate schools "regardless of anyone's campaign promise."

Wed. 11-19-58

Robert H. Hall, assistant attorney general assigned to the state education department, raised the possibility of one suit against the state board desegregating the entire state.

P 2A

And the board accepted his suggestion and requested the 1959 legislature to create a school law study committee to revise Georgia school laws.

1440

In a memorandum of State Supt. Claude Purcell, Hall said the minimum foundation act of 1949 is Georgia's basic school law, but many other code sections go back to 1919 and often are in conflict.

"Certain code sections apply to both county and city school districts," Hall said. "Others are limited to county districts. The line of authority between the state board of education and the local boards of education is often very hazy. Apparent conflicts need to be clarified.

"This is especially true with regard to reaffirming the local autonomy of county and city school districts. What I have in mind here is to prevent a federal court suit being brought against the state board as a means of desegregating the state as a whole in one suit."

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Stay Calm On Schools, Board Asks

Constitution

By HERMAN HANCOCK

Atlantans Wednesday were urged to remain calm in the face of increasing tension over the prospect of closing schools rather than integrating them. Teachers were directed not to discuss the problem with students.

Atlanta, Ga.

The Atlanta Board of Education, which has maintained silence due to pending integration suits affecting city schools, issued its first statement through A. C. (Pete) Latimer, board president.

Texts of statements by Miss Jarrell and Board President Latimer on Page 26.

Thurs 11-20-58

It stated categorically that Atlanta schools will not be closed unless the board is directed to do so by some other official. Latimer expressed the hope that the statement, which is as far as the board can go under present circumstances, will serve to reassure the people. The statement also urged that citizens keep informed on developments.

P. 1

At the suggestion of the board, Miss Ira Jarrell, school superintendent, instructed "teachers and principals to refrain from discussing with students the possibility of the closing of schools next year."

A decision on a pending suit to force integration in Atlanta schools is expected before the 1959-60 school year begins next September.

Miss Jarrell said students should not be brought into the controversy. She said opinions about integration expressed by teachers and principals in the classrooms have caused parents and students to be "upset."

Constitution

Latimer pointed out that members of the Board of Education and the superintendent are defendants in the pending suit. Because of the suit, he said, ". . . . We cannot as individuals or as a group in any way comment on this suit, which has yet to be tried."

Thurs
11-20-58

Latimer said, however, that this official refusal to comment on the suit should not be interpreted as a suggestion that parents and teachers should not seek answers to questions which concern them.

He said the board has no plans to operate private schools, to sell any school property, or to close any school.

But if the system is ever closed, he said, it will be by "some other" authority.

Miss Jarrell

A. C. Latimer

Tell Teachers To Be Mum On Closing Of Schools Here

Daily World
Atlanta, Ga.

Atlanta Public School system is in danger of being shut down before the start of school next fall, but those most concerned over the crisis-teachers and pupils-can't talk about it.

Teachers and principals have been directed by school superintedent Miss Ira Jarrell, on orders from the city board of education, to "refrain from discussing with students the possibility of the closing of schools next year."

The city's school system is the first in the state to be challenged by an integration suit and a federal court ruling is expected before the start of classes next year.

Sat
11-22-58

Should the court's order integration, the entire city system would shut down automatically under the present state laws But Board of Education President A. C. Pete Latimer, has said the board will not close the schools unless so ordered by a higher authority.

P. 1

14d(1) 1958

GEORGIA

Revolution In South; Racists Pressured To Reopen School

Informer

By Charles J. Livingston
(ANP) Staff Writer

Behind the loud rumblings of die-hard segregationists, a quiet revolution appears to be taking place in the South.

Core of the revolution is the growing demands of citizens for local control of those public school closed in opposition to integration and in defiance of the federal courts in such states as Arkansas and Virginia, and efforts by them elsewhere to headoff any such future closures.

Houston Informer

A BITTER FIGHT

However, the fight seems a painfully arduous one. Pro-segregation politicians, who boasts that the people gave them the mandate to close the schools, are firmly entrenched and are pledged to a fight to the finish.

But this does not alter the fact that in several areas citizens, no doubt awakening to the realities that school closings simply multiply their woes, are becoming increasingly vocal in their demands for reopening the schools. Norfolk, Va. and Atlanta, Ga., are cases in point, although in the latter, the schools are still open an citizens actions are purely speculative.

Sat. 11-29-58

WIDE SUPPORT FOR INTEGRATION

In an election last week in which the voting was heavily influenced by the threat to cut all state funds to schools reopened on an integrated basis, Norfolk citizens came close to overriding the cloture action. Of the more than 21,000 persons voting, 8,871 were for reopening the city's six public [illegible] schools on an integrated [illegible] as ordered by the federal courts, as opposed to 10,000 who balloted to keep them closed. Those voting to repen the schools were behind a Norfolk city council move to have them returned to local control. A pointed question on the ballot read:

"Shall the council of the city of Norfolk, pursuant to state law, petition the governor (J. Lindsay Almond. Jr.) to return to the city control of schools, now closed, to be opened by the city on an integrated basis as required by the federal court?"

Informer

The option was defeated but the wide support for integration gave proponents of the state's "massive ressistance," such as Gov Almond and Sen Harry F. Byrd, a lot to think about. Moreover, there were signs the state's school closing law "is headed for sure death."

STATE SEEKS NEW WEAPON

Victor Calverton, ANP Richmond correspondent, reported that Gov Almond has stated he will appoint a commission of legislators to draft another plan against school desegration if the present program is nullified by federal mandates.

Sat. 11-29-58

Meanwhile, disappointed Norfolk parents renewed their fight in federal court. A group represented by Attys, Archie L. Boswell of Norfolk and Edmund Campbell of Arlington filed a brief in support of a previous one to reopen the integrated schools, asking that the state laws under which they were closed be declared unconstitutional. Ironically, the brief charged the school closing laws "broaden earlier discrimination against Negroes into a harsher discrimination against white children." It also termed the laws a "naked device for evading" federal court desegregation orders.

ATLANTANS JUMP GUN

The schools have been closed since Sept 29 when the city board enrolled 17 Negro pupils in compliance with federal court orders. Three other schools, two in Charlottesville and one in Front Royal, (Va) also have been closed. In all, 10,000 students are affected.

In Atlanta, Mayor William B. Hartsfield demanded that the State of Georgia "let the people of Atlanta be the jury to decide the fate of her own schools. The mayor is at odds with state officials, principally Gov Marvin Griffin, who threatened to close the schools under state laws rather than have them integrated by federal orders.

It is predicted that Atlanta schools will face integration next September and may have to close. There is also widespread sentiment for keeping the schools open, even on an integrated basis.

LITTLE ROCK PAYS FOR PREJUDICE

Uneaslness was also reported in Little Rock. But there the Little Rock Private School Corporation is offering the people a "half-a-loaf" educational program in an attempt to ease the tension created by the closing of the city's four high schools by Gov Orval Faubus. More than 3,000 students are affected. Meanwhile, the city is paying an exhorbitant price for segregation. The 175 regular teachers, all under federal court injunction not to teach in the private school system, are being paid $20,000 a week for simply reporting daily at the vacated high schools.

Integration also made headway elsewhere.

In Baltimore, Md. a 16-year-old Negro girl was admitted to a high school after the U.S. Fourth Circuit Court of Appeals upheld a lower court decision which directed that she be admitted to St Mary's County school.

The entire integration struggle, while constantly shifting, appears to be developing against the advocates of segregation.

Florida says it'll be soon; Ala.—never!

14d(1)

Afro-American

MOBILE, Ala. — On the question of desegregation of public schools, Alabama has declared never; Florida says maybe not tomorrow, but soon.

Speaking before the Mobile Bar Association, State Supreme Court Justice J. E. Livingston predicted last Monday that Alabama public schools will never be integrated.

Baltimore

He declared that the state may use "private schools entirely" to avoid obedience of the U.S. Supreme Court order to desegregate with "all deliberate speed."

Sat. 11-8-58

RALPH ODUM, assistant attorney general, of Florida, said Wednesday:

"The governor or any other state leader who tells his people that he will be able to preserve segregated public schools rgardless of the high court order, is deluding himself and his people."

He also pointed out that "states cannot continue to ignore the Supreme Court's order that public schools be integrated."

* * *

ODUM FURTHER stated that a few colored children must be admitted to white schools if Florida wants to preserve its public school system.

"The people must be told, and every effort made," he said, "to make them understand that ultimately their choice can only be between integrated public schools or no public schools."

Private Schools In South

News Courier

To The News and Courier:

" 'Tis an ill wind that blows nobody good." When the nine appointed guardians of our fate joined hands and jumped, or played God. as their actions have been described, they brought the deep South by necessity to the establishment of a system of private schools. Such a system could prove to be an excellent thing over a period of time.

Charleston S.C.

The North is heavily entrenched in private schools and has been thrdough the years' both to avoid what the South is now facing, and for excellence in scholarship. Such schools, as a whole, are heavily endowed. Available scholarships are legion and often go begging, with no takers. Of the Southern states, Virginia stands foremost in the field of private schools. Virginia, home of the Presidents, has from colonial days had much in culture and education to offer the nation.

Sat., 11-8-58

Manifestly an enormous task awaits the South but the advantages are many. The one prerequisite, which has permitted the private school to exist today, is scholarship. Without it the private school would have vanished long ago. It is able to prepare the student for college to a degree that the public school has been unable to equal.

The advent of the private school. replacing public schools, would end the reign of the political school superintendent. more interested in social adjustment and the excellence of his cafeterias than in education. Much of the present day foolishness would be discontinued. There would be a return to mental disciplining, languages, science and grade promotion by merit rather than the drag of the dullest pupil as a standard of accomplishment. The school would return to education, which is its neglected but primary purpose. No longer would the school be used as a country club to entertain children, as well as their parents.

Everyone realizes that the private school cannot make its appearance overnight, even though Little Rock apparently has gotten off to a good start. It will require money — a great deal of it. The South today is not the prostrate, bankrupt South of Reconstruction. It is a wealthy South, creating its own wealth, in leaps and bounds. There is money in the South and plenty of it.

Before me I have a report of a large Northern university that is a private institution and in no way state supported. Aside from its endowment and the tuition paid by its students, it lives on the annual bounty of its alumni, individuals, family trusts and foundations, and the gifts of industrial corporations. For the year. these gifts, 3,500 in number, amount to $20 million.

The largest group numerically are the alumni, giving what they are able. The next largest group is individuals. The third group, representing by far the bulk of the money, consists of the gifts of 342 individual trusts or foundations for benevolent. charitable and educational purposes. The fourth group represents the gifts of 223 industrial corporations of national scope and renown. These corporations are presenting this unversity with vast sums of their stockholders' money.

Men of wealth must establish a beneficial trust or at their death have their estates confiscated for inheritance taxes. But they need not wait to do this. By such trusts and gifts private schools can be established at once, endowed and supported, to be administereed by proper directors or trustees. Corporations and individuals can donate as well, tax free within certain limits Such general procedure throughout the South can substantially make secure the education of Southern children and safe from any federal interference.

Many years ago Stephen Girard established and endowed Girard College in Philadelphia, for white boys only. Now in that boiling pot, Philadelphia, the terms of Girard's will have been attacked. and action brought to have such terms set aside. The Pennsylvania courts upheld the sanctity of the will. The U. S. Supreme Court was asked to review.

Such a decision was too much for the nine men who held hands and jumped. They outlawed the state appointed trustees of the college, and remanded the case back to the state courts. The trustees were replaced with private trustees and Girard College remained white, conforming to the stipulations in the will of Stephen Girard.

Endowed private schools are safe in the South as the nine men or their successors will hardly have the temerity to reverse themselves or rule again on such an issue.

PAUL STEVENS

Myrtle Beach.

South's School Mixing Picture Termed Fuzzy

Better Focus Possible After Court Hearing

1420

James

P 28

Jacksonville

Fla

9-7-58

(The Associated Press)

The South's school integration picture was fuzzy at week's end with most pupils back on the campus for the new school term.

And the picture likely won't be brought into better focus until after a US supreme court hearing this week.

The high court meets Sept. 11 to hear more arguments on a stay of a circuit court order that overruled a district court decision permitting Little Rock to suspend integration for 2½ years.

The supreme court ruling, a federal court judge said, will have great weight on his integration order in Virginia.

Minor violence highlighted numerous developments in the sprawling integration-segregation struggle from Arkansas to Virginaia. There was some integration progress without incident in North Carolina, Kentucky and Tennessee.

VOTE TO DELAY

On Monday, the Little Rock school board voted to delay opening Central High until Sept. 15, four days after the US supreme court hears oral arguments in this latest appeal.

The board's attorney asked the delay. He said opening the school "would create further confusion and uncertainty and would be interpreted by the court as an act of bad faith."

Gov. Orval E. Faubus said he would close the 2000-pupil school "for the peace of the community" if the court orders integration resumed.

Then the governor charged that the federal government is mustering a force of civilian deputy marshals to use, if necessary, in forcing integration at Central, where President Eisenhower used US Army units last year.

KKK CHAPTER

Faubus said federal marshals and troops "have no business around any state supported school" in Arkansas.

In the wake of this development came a report of plans to charter a Ku Klux Klan chapter in Arkansas, the first in that state since the early 1920s.

At a high school in Van Buren, in extreme West Arkansas, integration protests took the form of a school strike, a protest meeting, an effigy burning and threats to put the Negroes out of white classrooms "for good."

A group of about 50 striking white students succeeded Friday in barring 13 Negroes from the 600-pupil Van Buren High, where limited integration already had been accomplished.

While a big majority of the school attended classes as usual, the strike leaders gathered across the street and urged others to join them.

'UP TO US'

The night before a similar number returned to the campus and a Negro figure was burned in effigy on the campus.

Meanwhile, a parents meeting was held downtown to back up the strikers. "The kids took the first step today, now it is up to us," one of them was quoted.

A spokesman for the strikers said 100 students would be on hand for six days and if the Negroes were not out by then "we will put them out for good."

Schools in Fayetteville, Bentonville, Charleston and Hoxie proceeded with integration peacefully.

At Alexandria, Va., Federal Dist. Judge Albert Bryan authorized Arlington county, adjacent to Washington, D. C., to open its schools on a segregated basis. But he stressed that his order does not nullify the right of 30 Negro pupils to transfer to a white school later if they are entitled to do so.

He said, however, that his ruling is subject to change depending on whether the United States supreme court clarifies "all deliberate speed" in deciding the delay request for Little Rock's Central High.

STERN WARNING

Another federal district judge upheld the Norfolk school board, which rejected eight Negroes for admission to a white school. Judge Walter E. Hoffman said if they were admitted, they would be transferred next year to a new Negro school.

He agreed with the school board that this would involve too many transfers for the best interest of the applicants, who were among 134 Negroes requesting assignment t white schools.

The board indicated it would go along with 17 of the petitioners but this drew a stern warning from Gov. J. Lindsay Almond.

He told local school boards to steer clear of such assignments. No federal decree—even from the supreme court—can require such action of the local authority, he said.

PRODUCE BLUEPRINTS

At Harrisonburg a federal judge said the Warren county school board couldn't bar Negroes from the county's white school since there is no Negro high school.

School board officials countered by producing blueprints for a new Negro high school to cost a half million dollars.

A new trouble spot flared in North Carolina, a state where limited integration has taken place with little difficulty.

At Raleigh, US Judge Edwin M. Stanley denied a 14-year-old Negro boy permission to attend an all-white school.

The judge said Joseph Hiram Holt Jr. had not exhausted all state measures in his effort to attend a white school two miles nearer his home than the Negro school.

The denial noted that the school board refused Holt's request more than a year ago and set a hearing on its action but neither Holt nor his parents appeared with evidence to support the application.

In Charlotte, Greensboro and Winston-Salem, 13 Negroes have been accepted in white schools compared to 11 last year.

In Greensboro, a small group, waving a Ku Klux Klan banner and a Confederate flag, gathered in front of Gillespie Park School and heckled five Negroes who attended the opening session.

KING'S WIFE GOES HOME

A controversial Negro minister, Clennon King, announced he would enroll his 6-year-old daughter in a white school at Gulfport, Miss., and he appealed to President Eisenhower for support.

Later King's wife, after reporting abusive phone calls and letters, went to her parents' home in Woodbine, Ga. She enrolled the child in a Negro school at Woodbine.

King, however, after a visit to New York, told newsmen he had not abandoned the plan and said he would try to persuade his wife to return.

At Clinton, Tenn., marked by violence two years ago, 10 Negro children attended classes without disturbance.

QUIET IN NASHVILLE

At Nashville, 13 second grade Negroes registered without incident Friday for another year of classes under the city's stairstep plan of integrating one grade a year. Fifteen first graders registered last week to attend classes with white students.

A disturbance erupted last year when the plan began with the first grade.

At Oak Ridge, Tenn., the fourth year of integrated classes began without trouble.

In Kentucky, 20 Negroes and 161 whites attended integrated classes for the first time at the high school in Fulton, desegregated by court order.

"We didn't expect any trouble and we didn't have any," the principal said. One official said parents had been asked "to let the children handle this."

Three other schools held their first racially mixed classes in Nelson County, Ky. There was no trouble. Sturgis High where the National Guard was called out in 1956, opened quietly with 25 Negroes attending.

BRAWL IN BIRMINGHAM

At Birmingham, Ala., a brawl developed over fear that Negroes would try to enroll at an all-white high school. None did.

A policeman was slugged, one student was hit with a brick and three men were arrested. All are white.

Police dispersed a milling crowd of about 150 white men and teenage youths after they chased several Negro pedestrians.

Not all the conflict between Negroes and whites concerned mixing in the classrooms.

In Montgomery, Ala., a Negro integration leader chose a 14-day jail term Friday rather than pay $14 on a charge that he failed to obey a police order to move from a court stairway.

OFFICIAL PAYS KING'S FINE

However, Police Commissioner Clyde Sellers paid the $10 fine and $4 costs for the Rev. Martin Luther King Jr., who two years ago led a successful fight against segregated seating on city buses. Sellers accused the Negro minister of a publicity stunt and said he paid the fine to stop it. King denied any publicity motive.

King said he couldn't conscientiously pay a fine for an offense he didn't commit and protested his release. He was arrested two days earlier at City Hall where he had planned to attend a hearing involving another Negro minister, the Rev. Ralph D. Abernathy.

The charge against King was changed in court from loitering to refusing to obey a lawful order from police to move away from the city hall.

FBI JAILING THREATENED

In Georgia, a judge threatened to jail any FBI agents investigating civil rights in his court in a "high-handed, menacing manner."

Judge Walter I. Geer of Colquitt loosed the broadside at federal officials who filed a civil rights suit against Terrell County voter registrars whom he had appointed.

The suit, first test of the 1957 Civil Rights Act, charged the registrars with discriminating against prospective Negro voters.

Geer branded the federal suit as "arrogant, unwarranted and high-handed." He said it was an effort of "radical Republican leaders to intimidate the people of Terrell County."

Only Four States Have No Integration Schools In Ala., Ga., S. C., Miss., Listed

Nashville Globe

1420

Nashville Tenn

9-26-58

NEW YORK, Sept. 18 — With the admission this week of George H. Starke to the University of Florida law school, there remain only four states with completely segregated systems of public education from the kindergarten through the graduate and professional school levels — Alabama, Georgia, Mississippi and South Carolina.

Reviewing the present situation, NAACP Executive Secretary Roy Wilkins noted that "each year since the Supreme Court ruling of May 17, 1954 has witnessed the extension of desegregation in education in some measure. The once Southwide solid phalanx of segregated education has been steadily whittled down. We expect the trend to continue."

Mr. Starke's matriculation at the University of Florida came after a nine-year fight by the NAACP to open that University to Negro students. The original case, instituted in April, 1949 sought to gain admission to the law school for Virgil Hawkins. Prolonged litigation ensued with the State of Florida taking advantage of every possible legal technicality to avert breaking of the color bar at the university.

Louisiana and Virginia, which along with Alabama, Georgia, Mississippi and South Carolina have continued to defy the Supreme Court ruling against segregation in elementary and secondary schools, have enrolled Negro students in

14d(1) Birmingham News

Southern editor says newspapers offer solution for integration conflict

BY MERRILL SWEDLUND

Bham

FRENCH LICK, Ind., Nov. 12 —(AP)— A Southern newspaper editor said today accurate, com-

dent at the opening of The Associated Press Managing Editors Assn. convention, Coleman A. Harwell of The Nashville Tennessean said of the integration problem:

N 12-58

"Opinions are many and often extreme. They excite hatred, bitterness, violence. Amid all the resultant din and confusion, there is the constant and earnest query: What are the facts? Facts are the basis of reason, the only hope of a solution.

"A public that does not know the facts cannot act intelligently. A public that does not comprehend the facts is dangerous. That places a tremendous responsibility upon newspapers."

REVIEWING THE progress made in news presentation since the APME was founded in French Lick 25 years ago, Harwell called The AP "an example of democracy at its best, a rare combination of the genius of cooperation and of competition."

Two other speakers stressed community service at the opening session of the silver anniversary convention, attended by almost 400 editors and their wives.

BEN REESE, co-chairman of the advisory board of the American Press Institute at Columbia University, said a community has a right to expect its newspaper to "be a guardian of the town . . . try its best to preserve public virtue . . . fight for the rights of its readers."

"Newspapers must make themselves indispensable," said Reese, a former managing editor of The St. Louis Post-Dispatch. "Public service is a sure way to do it."

LOUIS M. LYONS, curator of the Nieman Foundation, Harvard University, said, "The problem of making our cities fit to live in still invites newspaper attention."

Lyons, whose foundation offers advanced study at Harvard for newspapermen, said the press generally lagged in reporting news about science and education and even the Supreme Court.

Recalling Adlai Stevenson's 1952 complaint about what he called a "one-party press," Lyons said:

"In most cities there is no debate in a political campaign. As the number of our papers shrinks, until most cities have only one, such a forum becomes increasingly impossible."

VINCENT S. JONES, Rochester, N. Y., executive editor of the Gannett newspapers, reviewed news events and newspapering of the 25 years, using news pictures to illustrate the period.

"Twenty years ago, scenes of raw violence were common," Jones said in tracing the development of organized labor. "Today's battles are won at the bargaining table and on the voting machine."

Concerning televised political conventions, Jones said, "The conventions on TV had their moments, but they bored as many people as they enthralled, because they couldn't be edited."

Georgia Legislator Asking Repeal Of Segregation Laws

Montgomery Advertiser

ATLANTA (AP) — A Fulton County (Atlanta) legislator has urged outright repeal of all Georgia segregation laws which call for setting up private schools.

Rep. M. M. Smith said he would be willing to introduce legislation to that effect at the January session of the general assembly.

Montgomery Adv.

"All our old segregation statutes are dead anyway," he said.

Under present Georgia law all schools in a district will be closed if one school is ordered to integrate.

Mon. 11-17-58

Smith said he is as "strong for segregation as anyone" but that he wants the schools to stay open for all children and will fight to keep them open.

The Fulton lawmaker also said he had given more careful study to a plan for the sale of Atlanta's public schools and had decided that it was "impractical and unworkable."

14d(1)

The plan, drafted by Atty. Moreton Rolleston Jr., called for the sale of schools to private corporations, with state income tax deductions for assistance to parents in sending children to private schools.

P 9 B

Smith said that if the state laws are repealed the question of whether or not schools stay open may be left up to the individual counties to decide by referendum.

Rep. Wilson Brooks of Fulton County said he is not "in a position to support any legislation designed to close the public schools."

Integration front remains quiet, but legal action is simmering

By The Associated Press

Tension eased somewhat today in the South's explosive school integration process.

White students who boycotted the Van Buren, Ark., High School last week in protest against enrollment of 13 Negroes reentered school today. The Negroes remained away pending court action started by the National Assn. for the Advancement of Colored People to have the school board cited for contempt.

News

9-8-58

THE NAACP charged the board failed to protect Negro students.

Nashville, Tenn., schools began their second year of integrated classes with three new Negro first graders. This gave the white schools 18 Negroes in first grade classes and 15 in the second grade at seven schools.

In Virginia, a U. S. District judge arranged to hear protests by parents of 30 Negro pupils whose applications to enter Charlottesville schools were rejected. The jurist also may sign an injunction restraining the Warren County Board of Education from refusing 22 Negroes admission to a white high school.

Birmingham

Ala.

IN ALEXANDRIA, Va., another federal judge refused to clear the way for 14 Negro students to enroll in white schools. U. S. District Judge Albert V. Bryan denied an injunction against the school board pending a hearing on their suit "in the regular way."

In Georgia, where Negroes have made no recent attempts at school integration, a federal charge of discrimination against Negro voters brought new repercussions.

JUDGE WALTER I. GEER of Colquitt, Ga., threatened to jail Roy Wilkins, NAACP executive secretary, or any other representative of his group, if they come within his jurisdiction. He charged Wilkins made a "craven and boastful attack" on his court in a telecast Sunday when asked about the suit filed against vote registrars named by Geer in Terrell County, Ga.

P. 5

Earlier Geer threatened to jail FBI agents if they continue an inquiry started last April into vote registration "in a high-handed menacing manner."

Both sides in the school integration crisis awaited Thursday's U. S. Supreme Court hearing on the Little Rock school integration trouble. The hearing may have decisive influence on the speed of integration in the South.

Federal Judge Herbert Christenberry today granted a preliminary injunction under which Louisiana State University's Commuters' College in New Orleans is required to register Negro students.

Assistant Atty. Gen. George M. Ponder failed in an attempt to get Christenberry to delay the injunction. Ponder said a stay probably would be asked in the Court of Appeals.

THE INJUNCTION prevents the branch college from continuing its policy of not admitting Negroes. It is scheduled to become effective this afternoon when Christenberry signs the order. In all, 80 Negroes have filed applications for admissions.

THE INTEGRATION situation was discussed at some length over the week-end by speakers in various parts of the nation.

Rep. Brooks Hays (D., Ark.) said at Little Rock he felt the integration crisis could not be solved in the South until the Supreme Court modified its 1954 desegregation decision. He was interviewed on local television.

Arkansas Gov. Orval Faubus told a state Democratic convention the Supreme Court and the Eisenhower administration lacked the common sense and moderate thinking which could ease the threat of integration violence.

AT WASHINGTON, Roy Wilkins, executive secretary of the NAACP, said President Eisenhower had failed to show moral leadership of the integration issue. He said in a television interview (CBS Face the Nation) that he was "extremely disappointed in the view that the president has taken. . . ."

Opposes Segregation Choice Of 'Capital' Minus Peoples Voice

Mayor William B. Hartsfield Friday called for "local option" to meet the impending crisis of possible federal court ordered integration in the Atlanta public school system.

"The time has come to make a choice and local people should make the choice, not the capital," he said.

World

"That's only asking for Atlanta what the state is asking the federal government: the right of local self-determination," he added.

Hartsfield made the statement Friday in appealing to the local legislative delegation to introduce a bill to "give us local option on what should be done with the school system."

P. 1 & 4

NOT ADVOCATING INTEGRATION

"I'm not advocating any outright integration of schools," he stressed in an interview with United Press International.

But he added: "Someone got to say it:

Sat. 11-15-58

"This should be left to the local school board and officials."

He said local officials are those who run the schools.

The mayor said if local officials feel it is necessary to submit a plan for local option or there is demand for one, it should "provide for people to change their minds."

Atlanta, Ga.

He implied people could vote to close public schools and six months later vote to reopen them on a token integration basis or just the reverse.

LET COMMUNITIES DECIDE

But he adamantly said parents and teachers "ought to have the controlling vote."

Hartsfield explained that local officials "should be given a voice as to what happens to our schools."

The mayor's comments followed comments by state officials that Georgia may be ordered to integrate Atlanta public schools by next fall.

Private School Corporation Is Granted a Charter by Fulton Court

A corporation has been chartered in Fulton Superior Court with authority to establish and maintain private schools on elementary, high school and college levels.

Constitution

Atlanta, Ga.

Southeastern Educational Foundation, Inc., was granted a charter by Judge George P. Whitman Sr., with power to operate a "business college or colleges where students may . . . (obtain) a special education in the fields of business and commerce."

Thurs.

11-20-58

The corporation also is authorized, however, to "establish and maintain other schools on the elementary, high school and college level as may from time to time be deemed advisable."

P. 56

As part of this operation, the corporation is empowered to acquire, own and improve real estate, along with buildings, fixtures and equipment "as may be necessary."

The charter listed as its incorporators Ann T. Roper, Tena Suttles and Mary W. Bray of 1220 First National Bank Building. However, Col. Humbert O. Nelli, a retired Army officer, identified himself as secretary of the new corporation.

Nelli said it was "purely a business proposition, purely for profit," and had nothing to do with the integration question.

Local Option Delays Seen By Whitman

Constitution

14d(1) Ga

By TED LIPPMAN
Constitution Staff Writer

Atlanta Ga

JACKSON—State School Board Chairman George P. Whitman Jr. said here Thursday night that it would be at least the fall of 1960 before any local option school laws could be passed in Georgia.

Fri

11-21-58

Whitman told about 100 members of the Butts County Parent-[illegible] Assn. that such laws could [illegible] only after the state constitution was changed by amendment. And no amendment can be [illegible] on until the regular election in November of that year, [illegible] said.

The constitution provides for separate schools for the races.

The board chief also, in an obvious slap at recent statements by Atlanta Mayor Hartsfield and Fulton Rep. Muggsy Smith, asserted that Atlanta's public school will not be closed at the beginning of the fall term of the 1959-[illegible] school year.

P. 1

[illegible] APPEALS

He said their appeals for local option legislation was "so much hogwash" in view of the constitutional deterrent to school integration.

Unless and until an amendment is voted on, "local option is unconstitutional," he told the audience.

"But the schools are go[illegible] down [illegible] Atlanta," he continu[illegible] [illegible] in the coming yea[illegible] But When [illegible] schools go down, [illegible]man [illegible] Georgians will rea[illegible] there [illegible] two choices [illegible] en to [illegible] out of [illegible] public [illegible] business. Or we [illegible] ate."

[illegible] SCHEDULE

[illegible] predicting that [illegible] [illegible] be closed, [illegible] laid out this prediction of the schedule:

The present case will reach the Supreme Court and the ruling will be to the effect that Atlanta can no longer operated a segregated school system. That will come by September of 1959.

Atlanta schools will open as usual (segregated).

A Negro will apply for admission to a school. He will be denied. He or his parents will enter a suit in federal court.

That suit will work its way up the court ladder. But in the meantime, Atlanta's schools will be operating as before.

Sometime before the fall of 1960, the federal courts will complete the suit for admission and Atlanta will be told to admit specified Negro pupils.

Constitution

Then the state shuts off funds and the school system shuts down.

The next step, as Whitman foresees it, involves suits by citizens against the state, enjoining it from operating schools in some counties but not in another (Fulton), and demanding that the state treasurer provide the closed system with funds.

At this point, the state will go out of the public school business. And some people might have to go to jail.

Fri 11-21-58

"It's not a question of statutes that can be changed. It's the state constitution. No state money can go to an integrated school," he said.

Whitman added, however, that although there are only two choices, people of Georgia can maintain segregated schools, "if we pay the price."

"We may have to give up TV sets and new cars," he said. "And our schools may not be public ones for awhile.

"But I do not believe people of Georgia will integrate."

Whitman called for calmness. "The only thing we have to fear is fear itself," he cautioned.

He urged Georgians to "stand fast with our leaders," predicted the Vandiver administration will "stand firm" and promised that the state board of education will do the same.

"I don't believe we can get around the (Supreme Court) decision," he added, "but we are not ready to throw in the towel."

Whitman took a last slap at Hartsfield after hinting that Kentucky and Tennessee had integrated their schools to further the national political aims of Gov. Albert Chandler and Gov. Frank Clement.

"The people of Georgia aren't going to follow Hartsfield," he insisted, "who was elected by the 'better element' as Ed Rivers called them, and the Negroes."

In a question and answer session following his talk, Whitman praised the progress made in the field of educational television and said Georgia could have a TV receiver in every classroom in the state and transmitting facilities for $35 million, or a capital outlay of $2 million a year.

Private Schools Are Costly, But Offer Quality Education

P. 10 A

Small Classes and Individual Attention Provide Ideal Atmosphere

14d(1)

By DOROTHY CREMIN

Ga

Constitution

P. 10 A

Atlanta Ga

Sun 10-26-58

Sputnik and integration have turned the American private school into a public issue.

Confronted by the increased difficulty of getting a child into a top-grade college, parents are putting more emphasis on quality education in the lower grades.

The small classes of the good private school and the individual attention given to the students provide an ideal atmosphere for learning, its proponents say.

*

ONLY RECENTLY Miss Ira Jarrell, Atlanta's school superintendent, said the public school system here needs an additional 500 classrooms despite the speeded-up building program of the past two years.

But private education is a costly thing.

The Porter Sargent handbook of private schools gives the following annual tuition rates for these schools, selected at random:

Georgia Military Academy, College Park, tuition $350; the Westminster Schools, $275-$550; Savannah Country Day School, $330-$525.

These figures are for day students only and represent only the yearly tuition. There are extras which vary with the school.

Take a look at the catalogue of GMA. A day student at this good military school must pay $180.25 (including sales tax) for uniforms; another $125 per year for hot lunches, and still another $125 if he wants bus transportation to and from Atlanta. There also are deposits for books and shoes.

* * *

THE UNIFORMS at a military school are an expense, but they can represent a savings, too, for children's "civilian" clothes are expensive and subject to fads.

Trinity School, functioning for its first season with a first grade in Atlanta, began as a nursery and kindergarten project of Trinity Presbyterian Church.

Mrs. Duncan Shepherd, chairman of the board of directors at Trinity, said first-grade rates are $20 per child per month for the offspring of Trinity church members and $30 per month for nonmembers.

Nursery school and kindergarten are $15 per month for members and $20 for nonmembers.

The new school was formed as a public service, she said. "There is a demand for more private schools in Atlanta — everyone feels so strongly about overcrowding, particularly in the first three grades."

* * *

THE SCHOOL PLANS to add a grade a year, Mrs. Shepherd said.

Among Atlanta congregations there has been "earnest talk" about establishing additional private schools.

Lovett Episcopal Day School now has 290 pupils and has added the eighth grade this year, said its elementary school principal, Miss Dorothy Floyd.

Cost of sending a first grader there for a year, including his hot lunches, is $435.

The official 1958-59 bulletin of the Georgia Accrediting Commission lists 15 white accredited "non-public" high schools and 12 accredited "non-public" elementary schools in the state. Many of these are church-sponsored or church affiliated.

* * *

A NUMBER of the state's 36 white and 17 Negro Catholic schools are not accredited by the state. Why? Because of the teacher shortage, said Msgr. Cornelius L. Maloney, superintendent of schools, Diocese of Atlanta.

"We are not always able to maintain the ratio of 35 students to one teacher which the state requires," he said. "Enrollments are heavy, and we feel we cannot turn the pupils away."

He said there are approximately 17,000 pupils in Catholic schools in the state.

Costs at Catholic schools vary. Christ the King students do

private schools for a number of reasons. Religious education, social prestige, individual and intensive instruction, quality education are among the leading factors.

Public school age limits for first graders, which make some children wait almost a year for another birthday anniversary, have caused a number of fathers and mothers to send children to private kindergartens and first grades.

Parents face a double financial burden, for they must pay taxes for the public schools and the private school costs as well, but continued prosperity has enabled numbers of families to take this in stride.

How much have federal race-mixing edicts influenced the growing demand for non-public schools?

* * *

"IT IS DIFFICULT to measure here," said Dr. William L. Pressly, president of the Westminster Schools, "for we always have had full classes and waiting lists. However, it would be unrealistic and even foolish to ignore this factor."

The Westminster Schools, with 1,000 students, aged 5 to 18, point their graduates toward college.

They participate in the advanced placement program of the College Entrance Examination Board. Briefly, this program enables good students to take college-level courses while still in preparatory school. Then, the successful fledgling freshman is allowed to take more advanced pay tuition, for example, Msgr. Maloney pointed out. At some schools the fee of $5 per month is paid and the parish makes up the difference.

At some Catholic schools the boys and girls wear uniforms, which cuts down clothing expenses and eliminates competitive dressing.

* * *

PARENTS APPARENTLY send their children to church and other

courses at his college or university.

* * *

THIS SAVES the student a great deal of precious college time, Dr. Pressly said.

The mere ability to pay the fees won't automatically get a child into a number of the best prep schools. Brains are most important.

"Our aim is quality education," Dr. Pressly added. "We are careful to select those students capable of deriving the greatest benefit from our program."

For the bright student in many private schools scholarships have been provided. Often ministers' children or families with several schoolchildren can get scholarships or adjusted rates here and in other states.

* * *

WHITE NONPUBLIC high schools in Georgia listed in the Georgia Accrediting Commission's 1958-59 bulletin are: Sacred Heart, Atlanta (now incorporated with St. Pius X), The Westminster Schools, Atlanta; Aquinas, Augusta; Gordon Military College, Barnesville; Georgia Military Academy, College Park; Emmanuel College (Academy), Franklin Springs; Brenau Academy and Riverside Military Academy, both Gainesville; Georgia Military College, Milledgeville; The Berry Schools, Mount Berry; Darlington, Rome; Savannah Country Day School; Vashti School, Thomasville; Toccoa Falls, Toccoa, and Warm Springs Foundation.

Private white elementary schools listed are:

Savannah Country Day School; St. Joseph's Elementary, Clarke County; Ar'lyn Worth School, Atlanta; Darlington, Rome; Happyland, Hebrew Academy, Lovett Episcopal Day School, Sacred Heart and Westminster, all of Atlanta; Sacred Heart, Griffin; Warm Springs Foundation and Vashti School, Thomasville.

Georgia Legislator Asking Repeal Of Segregation Laws

Montgomery Advertiser

ATLANTA (AP) — A Fulton County (Atlanta) legislator has urged outright repeal of all Georgia segregation laws which call for setting up private schools.

Rep. M. M. Smith said he would be willing to introduce legislation to that effect at the January session of the General Assembly.

Montgomery Ala

"All our old segregation statutes are dead anyway," he said.

Under present Georgia law all schools in a district will be closed if one school is ordered to integrate.

Smith said he is as "strong for segregation as anyone" but that he wants the schools to stay open for all children and will fight to keep them open.

The Fulton lawmaker also said he had given more careful study to a plan for the sale of Atlanta's public schools and had decided that it was "impractical and unworkable."

Mon 11-17-58

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P 4 B

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Integration Row Flares In Georgia

Post Herald

Both Sides Gird For A Struggle

BY THE ASSOCIATED PRESS

B'ham Ala.

The integration battle that has closed schools in Arkansas and Virginia yesterday engulfed Georgia in an intense struggle between die-hards on both sides of the issue.

An Atlanta member of the State Legislature called for repeal of a state law that would automatically close schools ordered to integrate.

At the same time Sen. Richard Russell hit at what he called the Georgia surrender group and Gov.-Elect Ernest Vandiver reiterated his stand against school integration.

Thurs. 11-20-58

State Rep. M. M. Smith told an Atlanta PTA meeting he would introduce a local option bill permitting each school district to vote on "public schools or no public schools" at the January session of the Legislature.

P 1

Mayor William B. Hartsfield of Atlanta attended the PTA meeting and said he thoroughly agreed with Smith. Hartsfield urged last week that Atlanta citizens be allowed to hold a referendum on the question of whether to close schools if they are ordered to mix the races.

Russell told a meeting of the Georgia Farm Bureau Federation in Albany Tuesday night that he was opposed to those who advocate a little integration.

"If you do this," he said, "it will not be long until all the doors are open to the integration flood."

Russell said there was a much better chance of defending segregation by supporting segregation forces in the state because they are the ones who will continue to come up with new ideas and plans. He added that surrender talk would not help in the fight in Washington to get a states' rights bill passed.

Smith told the PTA meeting that recent court decisions have completely changed the picture and that Georgia now is faced with an entirely new situation in which private schools have no part.

"I want to say to all the people of Georgia," Smith said, "that your schools will be closed when those in Atlanta are closed."

The State Board of Education moved Tuesday to prevent the possibility that one lawsuit against it might bring about desegregation of the state public school system as a whole. It called on the 1959 Legislature to set up a school law study committee to revise the state's school laws.

Sen. Herman Talmadge recently predicted that Federal Court orders could be expected affecting Georgia public schools before the Fall term starts next year.

14d(1) 1958

GEORGIA

NAACP files suit against Atlanta schools

News P-1A
B'ham Ala
Jan. 1-12-58

ATLANTA, Jan. 11 (AP) — A group of Negro parents Saturday filed suit in Federal Court here seeking to end segregation in Atlanta's public schools.

It was the first attempt to break down the public school pattern in Georgia although other suits have tried to end racial segregation in college and on Atlanta's buses.

Gov. Marvin Griffin, an ardent foe of integration, has declared repeatedly that he will close the schools before allowing them to integrate.

The attorneys filing the suit on behalf of 10 Negro parents were Thurgood Marshall, chief counsel of the National Assn. for the Advancement of Colored People; Constance Baker Motley, Marshall's associate in New York; and E. E. Moore Jr., Atlanta.

The suit named the city school superintendent and the nine members of the Board of Education as defendants. It charges them with failing to integrate the schools in keeping with U. S. Supreme Court decisions and asks that they be enjoined from further segregated school operation.

U. S. District Court officials said no date has been set for a hearing. They added that ordinarily such injunction actions are given precedence but because of other court commitments a hearing may not be held for a month or more.

parents set forth that between ...ne, 1955, and September, ... petitioned school au... comply with the ... Court Decrees. The ...ey add, not only did ... but "failed and re... make an official dec... their intent." ..., they contended, ... pupils have been de... equal education op... and may suffer ir... injury if relief is not

P-14A
1-12-58

First Suit By Negroes In Georgia

Observer P. 1
Jan. 1-12-58
Raleigh, N.C.

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No judicial assignment has been announced for the action.

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As a result, they contended, the Negro pupils have been deprived of equal educational opportunities and may suffer irreparable injury if relief is not forthcoming.

Parents bringing the action for their children are Willie Calhoun, Henry L. Harper, Leonard Jackson, Roosevelt Winfrey, Johnny Fears, Dock Putnam, Ralph Swann, David Lester, Hudie McDowell and Mrs. Ruth Smith. Twenty-eight children were listed as minor plaintiffs.

NAACP files suit against Atlanta schools

News P.1
Jan. 1-12-58
Birmingham, Ala.

ATLANTA, Jan. 11 (AP) — A group of Negro parents Saturday filed suit in Federal Court here seeking to end segregation in Atlanta's public schools.

It was the first attempt to break down the public school pattern in Georgia although other suits have tried to end racial segregation in college and on Atlanta's buses.

Gov. Marvin Griffin, an ardent foe of integration, has declared repeatedly that he will close the schools before allowing them to integrate.

The attorneys filing the suit on behalf of 10 Negro parents were Thurgood Marshall, chief counsel of the National Assn. for the Advancement of Colored People; Constance Baker Motley, Marshall's associate in New York; and E. E. Moore Jr., Atlanta.

The suit named the city school superintendent and the nine members of the Board of Education as defendants. It charges them with failing to integrate the schools in keeping with U. S. Supreme Court decisions and asks that they be enjoined from further segregated school operation.

U. S. District Court officials said no date has been set for a hearing. They added that ordinarily such injunction actions are given precedence but because of other court commitments a hearing may not be held for a month or more.

The parents set forth that between June, 1955, and September, 1956, they petitioned school authorities to comply with the Supreme Court Decrees. The officials, they add, not only did not comply but "failed and refused to make an official declaration of their intent."

As a result, they contended, the Negro pupils have been deprived of equal education opportunities and may suffer irresperable injury if relief is not forthcoming.

City Pledges Defense in Negro Suits

Parents Ask Writ To Open Schools

Constitution P. 1
Mon. 1-13-58
Atlanta, Ga.

By FRANK WELLS

The suit by 10 Negro parents filed in Federal Court here asking for an end to segregation in Atlanta's public schools brought defense pledges from public officials Sunday.

A. C. (Pete) Latimer, chairman of the Atlanta Board of Education, said it is regrettable that the board will have to devote time to the lawsuit when its undivided attention should be applied to other problems.

In a statement late Sunday Latimer said:

"I have not been served with any papers in the suit filed by Thurgood Marshall, chief counsel for the NAACP, against the Atlanta school board. Our board will confer as soon as possible with the city attorney who is charged by law with responsibility of defending the board of education.

MANY PROBLEMS

"It is unfortunate and regrettable for this suit to be brought against the new board of education which faces many problems in reorganizing, in adopting its budget, in setting the tax rates for schools, and the many other vital and important duties it faces at this time.

"The NAACP is ill-advised and doing a great disservice to the Negro community in bringing this action.

"We have children to educate, teachers to hire, classrooms to build. We have a full-time job to work constructively for education and regret exceedingly that we must devote so much of our time to this lawsuit."

MAYOR REGETFUL

Mayor Hartsfield said: "I am sorry this suit was filed. The mayor and aldermen have nothing to do with the operation of Atlanta schools. However, our city attorney is charged with their representation and will file immediately appropriate defenses"

The parents filed suit Saturday on behalf of their school-age children, and charged that the Atlanta Board of Education and Atlanta School Supt. Ira Jarrell have failed to desegregate the Atlanta schools in compliance with decisions of the U.S. Supreme Court.

This is the first desegregation suit filed in Georgia involving grammar school or high school students since the Supreme Court decision of 1954.

Miss Jarrell said Sunday afternoon that no papers had yet been served on her. She said that since she had not had a chance to examine the suit she would reserve comment.

Constitution P. 8
Mon. 1-13-58
Atlanta, Ga.

City attorney Jack C. Savage said, "I haven't seen the suit yet, but I can say that we will defend the board and will resist the suit to the limit of our abilities."

E. E. Moore, Atlanta Negro attorney for the plaintiffs, said that the fact that the state legislature would convene Monday "had absolutely nothing to do with the time we chose to file suit."

Moore continued that the defendants had picked no "target date" for integration, but hoped that the "suit will progress as rapidly as possible, now that it has been filed."

WAITS CALENDAR

U.S. District Court officials said that no date had been set for the hearing on the suit.

John C. Calhoun, president of the Atlanta chapter of the NAACP, could not be reached by phone Sunday. His office said that he was out of the city.

State officials arriving in Atlanta were quick to voice their feelings. Lt. Gov. Ernest Vandiver, probable candidate for governor, said:

"The people of the Sovereign State of Georgia are determined and resolute. There will be no mixing of the races in the schoolrooms of Georgia.

"It is a tragedy that certain irresponsible Negro leaders would" by this insensible and foolhardy act, attempt to destroy our separate system of schools. They will fail in their efforts.

CAN MEAN THE END

"If a federal court orders a Georgia school integrated, it will mean the end of the public schools in the area affected.

"Whether I am a public official or a private citizen, I will fight the mixing of races in Georgia as long as I live.

"Georgia is prepared to meet the challenge, and meet it she will."

Atty. Gen. Eugene Cook said Sunday afternoon that he had just arrived from Richmond, Va., and that he did not want to make any comment on the integration suit until he had had a chance to examine the suit itself.

The suit filed Saturday listed Thurgood Marshall, chief legal counsel for the NAACP, as one of the Negroes' attorneys.

INJUNCTION SOUGHT

The suit specifically asks the federal court here to issue a "preliminary and permanent injunction enjoining the defendants from operating the public school system of the city of Atlanta on a racially segregated basis."

Miss Jarrell and the nine members of the Board of Education were named as defendants.

The Negroes bringing the suit were listed as Willie Calhoun, Henry L. Harper, Leonard Jackson Sr., Roosevelt Winfrey, Johnny Fears Sr., Dock Putnam, Ralph Swann, David Lester, Hudie McDowell and Mrs. Ruth Smith. Twenty-eight Negro children were listed as minor plaintiffs.

THIRD ACTION

The suit is the third legal action brought by Negroes in the last 18 months in Federal Court here designed to end legal segregation in Atlanta.

Four Negro students filed suit in September, 1956, seeking admission to Georgia State College here. Two ministers last June filed suit to end segregation on city buses. Both bus and school suits are still pending in U.S. District court.

ATTACK ON GEORGIA PATTERN

Atlanta Negro Parents Sue To Force School Entry

Advertiser P.1
Montgomery, Ala.
Jan 1-12-58

ATLANTA, Jan. 11 (AP)—A group of Negro parents today filed suit in federal court here seeking to end segregation in Atlanta's public schools.

It was the first attempt to break down the public school pattern in Georgia although other suits have tried to end racial segregation in colleges and on Atlanta's buses.

Gov. Marvin Griffin, an ardent foe of integration, has declared repeatedly that he will close the schools in Georgia before allowing them to integrate.

The attorneys filing the suit on behalf of 10 Negro parents were Thurgood Marshall, chief counsel of the National Assn. for the Advancement of Colored People; Constance Baker Motley, Marshall's associate in New York; and E. E. Moore Jr., Atlanta.

BOARD NAMED

The suit named Atlanta School Supt. Miss Ira Jarrell and the nine members of the board of education as defendants. It charges them with failing to integrate the schools in keeping with U.S. Supreme Court decisions and asks that they be enjoined from further segregated school operation.

U.S. District Court officials said no date has been set for a hearing. They added that ordinarily such injunction actions are given precedence but because of other court commitments a hearing may not be held for a month or more.

No judicial assignment has been announced for the action.

REQUESTS CITED

The parents set forth that between June, 1955, and September, 1956, they intermittently petitioned the school authorities to comply with the Supreme Court decrees of May 17, 1954, and May 31, 1955. The officials, they add, not only did not comply but "failed and refused to make an official declaration of their intent."

As a result, they contended, the Negro pupils have been deprived of equal educational opportunities and may suffer irreparable injury if relief is not forthcoming.

Advertiser P.2
Jan 1-12-58

Parents bringing the action for their children are Willie Calhoun, Henry L. Harper, Leonard Jackson, Roosevelt Winfrey, Johnny Fears, Dock Putnam, Ralph [illegible], David Lester, Hodie McDowell and Mrs. Ruth Smith. Twenty-eight children were listed as minor plaintiffs.

Montgomery, Ala.

School Mixing Suit Is Filed In Atlanta

News & Courier
Charleston S.C.
Sun 1-12-58
P. 2A

ATLANTA, Jan. 11 (AP)—A group of Negro parents today filed suit in federal court here seeking to end segregation in Atlanta's public schools.

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GRIFFIN'S STAND

Gov. Marvin Griffin, an ardent foe of integration, has declared repeatedly that he will close the schools in Georgia before allowing them to integrate.

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CONTENTION

The parents set forth that between June 1955, and September 1956, they intermittently petitioned the school authorities to comply with the Supreme Court decrees of May 17, 1954, and May 31, 1955. The officials, they add, not only did not comply but "failed and refused to make an official declaration of their intent."

As a result, they contended, the Negro pupils have been deprived of equal educational opportunities and may suffer irreparable injury if relief is not forthcoming.

Ten Negro Parents Ask Entry

Call P.1
Kansas City Mo.
Fri 1-17-58

First Attempt To Integrate Schools In Atlanta Made

ATLANTA. — (INS) — The first attempt to integrate Georgia's public schools was made Saturday as ten Negro parents filed suit in Federal disrict court against the Atlanta board of education.

The petition, which named 28 children as minor plaintiffs, demands that the youths "be admitted to the public schools of the city of Atlanta without any distinction as to color or race."

The children are of elementary and secondary school age.

Attorney E. E. Moore Jr., who is representing the plaintiffs, said the suit lists Atlanta School Supt. Ira Jarreil and nine members of the board of education as defendants.

Moore said Thurgood Marshall, chief legal counsel for the National Association for the Advancement of Colored People, will act as his advisor in the case.

The petition calls for a "preliminary and permanent injunction" against the defendents to suspend operation of the Atlanta school system on a segregated basis. It claims the defendents have failed to comply with the U. S. Supreme court decision on racial segregation.

The court did not set a hearing date on the case, but Moore said one was unlikely to be arranged before schools begin their 1958 spring semester.

The action will be ruled on by either Judge Boyd Slon or Frank Hooper of the North Georgia Federal district court. The matter could possibly result in repercussions in the state's General Assembly which convenes in Atlanta Monday.

ROAD OUTLAY HIKE ASKED

Times-Union
Jacksonville Fla.

Racial Moderates Rapped by Griffin

Wed. 1-15-58

ATLANTA, Jan. 14 (UP)—Gov. Marvin Griffin today attacked "modern Republicans and fanatically inclined Democrats" for encouraging integration and said no one should be surprised that a school integration suit had been filed in Atlanta by Negro parents.

The chief executive drew loud cheers from the General Assembly when he departed from his final State of the State address to censure "highly placed officials who take a middle of the road" position or segregation.

The solons also applauded roundly his proposal to boost rural road spending by 50 million dollars.

"When highly placed officials put themselves in a moderate position or take a middle of the road position on segregation, no one should be surprised if the race mixers accept the invitation," he added. Griffin refused to comment later on what officials he had in mind.

"It is time," he said, "to separate the sheep from the goats in Georgia" on the segregation issue.

Injects Humor

The crowded House chamber broke into laughter when Griffin, in reference to moderates, said: "When a farmer starts knocking the chinks out of the corncrib, the rats will come running in."

"Since the illegal decision of the United States Supreme Court was handed down in 1954, there has been nothing but turmoil, storm and strife following in its wake," he said.

But he added: "It is a matter of satisfaction to all good citizens of Georgia that we have thus far successfully resisted, by legal means, all efforts to integrate the public schools of this state."

Griffin said the additional 50 million dollars for post road construction would be invaluable "to many additional areas which badly need them."

Backs Park Purchase

In his final keynote address to the legislative body, Griffin said "I envision this year to be Georgia's greatest year of advancement in her history."

He recommended to the solons that they approve the purchase of Stone Mountain as a state park, expand port facilities and tighten marriage laws.

"There is a comfortable reserve in the state treasury to guarantee continued expension of essential services," he said. "This reserve will not be dissipated but will be kept for a rainy day."

He also recommended construction of community-type junior colleges, improved mental health treatment, and an improved retirement program for Georgia peace officers.

"I do not advocate any additional or new taxes for the remainder of my term of office, nor do I believe that the demands upon state government will permit a reduction in any existing revenue laws," he added. He said he has called on department heads to "economize without diminishing essential services."

20,000 COPIES OF "OLD STUFF"

Atlanta World

Georgia Commission Reported Sending Little Rock Pamphlets

Atlanta, Ga.

Wed. 7-16-58

LITTLE ROCK, Ark. — (ANP) — The latest twist in the Little Rock integration struggle is that local residents are learning "The Little Rock Story" from a group far removed from the scene. P.1

The outside group is the Geor- ja Commission 'on Education, a ax-supported state agency, which ist week mailed 20,000 copies of a document telling what was term- ed "The Little Rock Story" to res- idents of the Little Rock area.

OLD STUFF

The document is nothing new, however although its purpose is to help forestall integration, which as already been given an assist Circuit Judge Lemley. It is a print from the February 1958 is- e of the American Bar Associa- on Journal. Written by Alfred J. chweppe of Seattle, the article estions the federal government's uthority to enforce court orders. chwepe, former president of e University of Washington Law hool, concludes President Eisen- wer had no authority to order oops into Little Rock to enforce tegration at Central High last all.

The commission, headed by T. Williams, Jr., was set up ex- essedly to determine ways to esent integration in public ools.

The biased literature, in addi- ion to commenting on Little Rock, iticizes the NAACP and the hland Folk school in Tennes- Highland is an interracial in- ation.

Segregation Commission Rehires 3

By WILLIAM M. BATES

The new executive secretary of [illegible] Commission on Edu- [illegible] ed [illegible] former employes [illegible] ated future segregation [illegible] tional work would be con- [illegible] to Georgia.

14d(1)

Paul Stevenson, named by Gov. Griffin to replace T. [illegible] Williams Jr. in the key commission job said the agency would not continue mailing of prosegregation material throughout the nation.

Constitution

Instead, Stevenson said efforts of the commission will be concentrated in the state. He said he hopes to make extensive use of radio and television and some paid advertising to promote segregation.

Thurs. 7-31-58

Under Williams, the commission had built up a nationwide mailing list for disseminating various anti-integration literature.

Stevenson also said the commission would sever ties with private segregation groups such as White Citizens Councils. But he declared the commission would cooperate fully with similar official agencies in other states.

Gov. Griffin indicated some disagreement with Stevenson's proposal to limit the commission's widespread mailing activities. He said Stevenson may have meant that the mailing would have to be reduced in line with the reduction in staff.

"But if someone like Sen. Russell or Congressman Davis makes a good speech, I think it is up to us to disseminate it," he said.

Constitution

Thurs. 7-31-58

Griffin said he had not discussed future plans of the commission with Stevenson.

Meanwhile, Stevenson said the three employes rehired are Miss Ginger Pugh, Miss Jenny Sanford and Mrs. Ruth Harrison. He said one more may be rehired to bring his staff to the five total set by Griffin.

14d(1)

Thurs. 7-31-58

Under Williams, the commission staff had grown to 11 persons. Williams and two others resigned last week during the furor over charges that Williams had used the commission's facilities and personnel to prepare a campaign newspaper for gubernatorial candidate William T. Bodenhamer.

The Madisonian

Let Education Commission Be Abolished Forthwith!

Constitution 4

14d(1)

In all the excitement over the Georgia Commission on Education and the firing of employes, one pertinent fact seems to stand out. There is no need for the commission. It is a burden and a drain on the taxpayers and it apparently serves no useful purpose.

After newspapers exposed the fact that the commission was printing campaign literature for candidate W. T. Bodenhamer at the expense of the taxpayers of Georgia, the secretary was forced to resign. Several women employes who refused to sign statements whitewashing the activities of the Atlanta office were threatened with their jobs.

Madison, Ga.

All of this was a black eye for the commission. State officials asked to comment on the setup as it stands used T. V. Williams Jr. as a target.

Tues. 8-5-58

Mr. Williams would certainly seem vulnerable.

But we liked the statement made by State Auditor B. E. Thrasher. Mr. Thrasher's integrity stands unchallenged and he stands out as an advocate of individualism and fearless fortitude in an era when most politicians are so busy riding the current bandwagon that rugged individualism is cast aside. Mr. Thrasher's courage is a welcome change.

Mr. Thrasher said that he thought the commision as a whole should be abolished. It serves no purpose and is instructed to carry out a function that should be handled by the Legislature.

Good for you, Mr. Thrasher. You are saying publicly what a lot of people must be thinking.

Let us hope that the administration will heed your words.

Office Girls Walk Out On Lawson

By BRUCE GALPHIN

T. V. Williams Jr. resigned as executive secretary of the Georgia Commission on Education Thursday but demands continued for a full airing of charges that he used the office for political purposes.

Constitution

P.1

Fri. 7-25-58

Williams gave up his $6,000-a-year job with an angry blast at the Atlanta newspapers and forces of Lt. Gov. Vandiver.

Text of Williams' resignation on Page 5.

14d(1)

Atlanta, Ga.

He charged his enemies "have set up a furor focused on me designed to destroy the Georgia Commission on Education or its usefulness" and that he was quitting "to prevent them from carrying out this design."

Charges that Williams used commission personnel and equipment to prepare campaign literature for gubernatorial candidate W. T. Bodenhamer are not closed, however.

Atty. Gen. Cook announced Thursday afternoon that he intends to question Williams and former aide Harvey Chandler, who resigned Monday with a blast at Williams' activities, about alleged use of state funds for political purposes.

And John Sammons Bell, a commission member and Democratic Party chairman, commented: "The issue remains unsettled. I therefore hold firmly to my previous conviction that a full-scale public hearing into the charges should be promptly held before the Commission on Education."

Bell said the airing was "essential to re-establish the commission's good name" because the alleged activities would represent a "sharp departure from the purposes and motives which caused the commission to be created." (The commission originally was formed to draw pro-segregation school legislation.)

Constitution

Several other commission members called for an early meeting of the body. These included House Speaker Marvin Moate of Sparta and Rep. Frank Twitty of Camilla.

Gov. Griffin, out of the state on a visit, is chairman of the commission. He is the ony official who can call the commission into session. He has power to appoint a successor to Williams without consulting the membership.

Fri. 7-25-58

The governor's decision may be influenced by a report being prepared by his chief investigator, Roger H. Lawson.

Lawson questioned the employes of the commission office at length Wednesday about the charges. The employes, mostly women, abruptly walked out about two hours before regular quitting time, some of them crying.

Later in the evening, Williams' chief secretary, Mrs. Lu Waldron, resigned and made a statement supporting charges that the office was being used for Bodenhamer's campaign.

Except for Mrs. Waldron, the employes showed up for work again Thursday but again walked out en masse after Lawson attempted unsuccessfully to get them to sign statements about the case. A source said they would return to work Friday.

Lawson told reporters that the statements were summaries of the evidence the employes gave him Wednesday.

However, one of the secretaries later said that the statements "did not contain everything the girls wanted." They were "at a loss about what to do," she said, and left rather than sign.

Rep. George L. Smith of Swainsboro, who is a member of the commission, called the walk-out "an attribute to the courage and integrity of Georgia womanhood. It is a sad commentary on any state agency when its women employes are subjected to such tactics in an effort to conceal the truth from the eyes of the people of Georgia."

Williams' resignation was submitted to Tom Gregory, the governor's executive secretary. Gregory and Williams' father, Revenue Commissioner T. V. Williams Sr. were present when the executive secretary submitted copies of his resignation letter to the press.

Williams Jr. told reporters that his resignation would allow him to "devote the maximum time to candidates who are not weak on segregation. In the governor's race that is Bill Bodenhamer."

His father called the resignation "a wise move on his part to preserve the effectiveness of the commission." He said his son is "one of the best learned men in the nation on subversives and Communist front organizations."

14d(1) 1958

GEORGIA

HOPE INC.

Hope Inc. Chartered To Fight School Close

Atlanta Constitution

An organization has been chartered in Atlanta with the stated purpose of giving information to persons interested in keeping public education from being destroyed by closing the schools.

The charter was issued to HOPE, Inc. The letters stand for "Help Our Public Education."

Atlanta, Ga.

The chartering group gave as its purpose "to give factual information to those citizens of Georgia who want to keep our public education from being destroyed by the closing of our schools; to give direction, information and program of action to those groups and individuals throughout the state who feel as we do, that the closing of our schools would be a tragedy almost too terrible to contemplate."

Nov 12 58

P 32

The group said present state laws concerning schools are unworkable and that similar laws have been declared unconstitutional in other states.

"Our governor-elect is quarantined by these laws and cannot do anything except close our public schools in the event of a federal decree ordering integration in any public school system of Georgia," the statement added. The group said injunctions following one such action would soon close all public schools in the state.

NAMED IN CHARTER

The incorporators named in the charter are Dr. Willis A. Sutton, Kendall Weisiger, Mr. and Mrs. John A. Dilworth III, Mr. and Mrs. Thomas Breden Jr., Mrs. Harold B. Friedman, Mr. and Mrs. Claude E. Jones Jr., Mrs. Dan Burge, Mrs. Martha C. Bryant, Mrs. John I. Dickinson, Lanier Randall Jr., Mrs. Brittian Pendergrast, Mr. and Mrs. C. F. Daugherty Jr. and Mrs. Hamilton Lokey.

The incorporators said a nominating committee will be appointed and will be presented at a general meeting for approval.

Tribune 3-18-58 Chicago, Ill.

14 d (1) 202

[TRIBUNE Photo]

Esa Ahlson (left), teacher in Holmes school, destroyed in arson fire, starts teaching her class, into library of Libby school. Others are Principal Dorothy Herbst of Libby, and Robert C. district supervisor.

Majority of Chicago ols Segregated De Facto

Tribune Des Moines, Iowa

Mar. 2-6-58

14 d (1) 202 P.3

—A detailed analysis of ortions in the elementary one large north- that a majority of all pupils attend schools in which the percentage of white or Negro is so great that the environment is one of segregation.

The analysis, which deals with the Chicago schools, is published in the February issue of **The Crisis**, official journal of the National Association for the Advancement of Colored People.

The article is a condensation of a statement made to members of the Chicago Board of Education by the Chicago NAACP branch in 1957.

Entitled, "De Facto Segregation in the Chicago Public Schools," it indicates that the trend is toward segregation, not integration.

87 Per Cent in Grades

Eight-seven per cent of Negro elementary school children are in predominantly Negro schools, the article states.

Of 355 elementary schools listed in the Chicago school directory, 250, or 70 per cent, are predominantly white (90 per cent or more non-Negro pupils), 73, or 21 per cent, are predominantly Negro (90 per cent or more Negro pupils), and 32, or nine per cent, are racially mixed, the report says.

90 Per Cent in High School

Citing further statistics, it states that of 35 academic high schools in Chicago, 35, or 71 per cent are predominantly Negro or predominantly white, adding: "In other words, seven out of every 10 Chicago high school students attend de facto segregated high schools in the sense that 90 per cent or more of the students in these schools are Negro or non-Negro."

CHICAGO SCHOOL SEGREGATION HIT

Times Picayune

But Progress Made, Says NAACP Leader

P.40

By ROBERT CRAM

14 d (1) New Orleans, La.

Sep. 22-58

CHICAGO (UPI) — Chicago schools head into another autumn still bearing a reputation for being one of the most racially segregated in the nation outside of Dixie, a NAACP leader said Saturday.

Theodore A. Jones, president of the Chicago NAACP, said, however, that "considerable progress" has been made during the past year in meeting the problem.

"Segregation in our schools is currently among the most extreme in the North," Jones said, "but this year we are encouraged by such things as a drop of about half in the number of Negro children going to their classes on a double shift basis."

Jones said he does not believe that segregation in Chicago's schools is the worst in the North.

"I feel," Jones said, "there have been some very positive aspects to the city's school segregation problem lately. For one thing, Chicago's educational leaders are aware of the problem."

'NEW ATTITUDE'

He said the recent establishment of agencies such as the mayor's commission on human relations and a "new attitude" on the part of the Chicago housing authority and the city's board of education have given "much cause for optimism."

Jones said, however, that housing has created "racial population clusters" in the city that make for a real "lead weight" in school integration programs.

"This is the insidious and greater segregation all around us," he said, "the fact that no matter what housing developments go up, or where, for the most part, when the Negro moves in most of the white families move out.

"Then it's nearly all one or the other again," he said, "and so are the schools."

RACIAL FACTORS IGNORED

Benjamin C. Willis, superintendent of the Chicago board of education viewed the city's problem as "a circumstantial thing."

"We are not concerned with race when we build new schools," Willis said. "We build schools where there are students. We try to keep up with a school population increase of 15,000 a year and cannot consider racial motives in doing so."

Alvin Rose, executive director of the Chicago housing authority, said the CHA isn't concerned with the racial factor in planning its housing projects, either.

"It is essential to plan housing units for areas where there is a need for them. We can't help it if whites move out when Negroes move in," he said.

DEEPER REASON SEEN

"What can we do, force people to live in a certain place to integrate the area and the schools there?" Rose asked. "It's impossible."

Jones, however, said the

ProbeRaceAngle In Evanston Fire

Defender

Chicago

Def.

Sat 11-8-58

Speculation was rife in Evanston late this week in the wake of the $500,000 fire Tuesday night which gutted the old Foster elementary school.

The school, one of the oldest in the city, was the city's only all-colored school, a situation arising from its geographical location in the center of an all-colored neighborhood. The school has a mixed faculty.

Police and fire department officials making an intensive investigation of the cause of the fire seemed unanimous in the opinion that it was of incendiary origin.

There was a timid suggestion on the part of some officials that the blaze may have been set by a crank spurred by the wave of bombings of Jewish and Negro temples and homes.

However, since there has been no racial tension in the city, many were doubtful that the fire had any racial implications.

Nor was there evidence to support the theory that the blaze may have been set by vandalistic youngsters. The principal of the school said that vandalism among the students was negligible and that he seriously doubted whether any of the pupils would have the nerve to set such a blaze.

Further it was pointed out that the fire apparently started on the upper floor of the building which would not be the case had some pupils been responsible.

There were no classes Wednesday for the pupils and school authorities said the building could not be used for school purposes for the rest of the school year.

Meanwhile the following arrangements have been made for classes.

The first through fourth grades will attend classes in the Foster Community center across the street from the school. The fifth grade has been assigned to Willard a previously all-white school, and students from the sixth grade were sent to Haven and Nichols schools. No arrangements have been made for kindergarten classes. Six-hundred and forty pupils attended the burned-out school.

Authorities said the building could not be repaired in time to resume classes there before the end of the present school year.

CHICAGO HAS SEGREGATION

School Reflects Whites Leaving Negro Areas

Jacksonville

By ROBERT CRAM
United Press International

Sun. 9-21-58

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Jones said he does not believe that segregation in Chicago's schools is the worst in the North.

"I feel," Jones said, "there have been some very positive aspects to the city's school segregation problem lately. For one thing, Chicago's educational leaders are aware of the problem."

AGENCIES HELP

He said the recent establishment of agencies such as the mayor's Commission on Human Relations and a "new attitude" on the part of the Chicago Housing Authority and the city's Board of Education have given "much cause for optimism."

Jones said, however, that housing has created "racial population clusters" in the city that make for a real "lead weight" in school integration programs.

"This is the insidious and greater segregation all around us," he said, "the fact that no matter what housing developments go up, or where, for the most part, when the Negro moves in most of the white families move out.

"Then it's nearly all one or the other again," he said, "and so are the schools."

PROBLEM CIRCUMSTANTIAL

Benjamin C. Willis, superintendent of the Chicago Board of Education viewed the city's problem as "a circumstantial thing."

"We are not concerned with race when we build new schools," Willis said. "We build schools where there are students. We try to keep up with a school population increase of 15,000 a year and cannot consider racial motives in doing so."

Alvin Rose, executive director of the Chicago Housing Authority, said the CHA isn't concerned with the racial factor in planning its housing projects, either.

"It is essential to plan housing units for areas where there is a need for them. We can't help it if whites move out when Negroes move in," he said.

"What can we do, force people to live in a certain place to integrate the area and the schools there?" Rose asked. "It's impossible."

NAACP believes there is a deeper reason why so many Chicago schools are nearly all either white or Negro.

"It is ill-founded fear," he said. "The white families appear to be afraid of the Negro. The Negro cannot buy property unless it is in a Negro area. He cannot get a loan from the mortgage companies.

"The Negro who can afford to buy a house on the North Shore will not be sold one. Landlords will not rent them apartments in 'better' neighborhoods.

"The white fears and the Negro resents and the Negro child suffers," he said.

'DOUBLE STANDARD'

"For in Negro or mostly Negro schools there is a downgrading of the curriculum. The lesson's too easy, the experience of the teachers too inferior, all add up to a later Negro adult unable to compete with a more fortunate white young man or woman."

Jones said there seems to be "a double standard" in Chicago's schools—an inferior one for the Negro and the other for the white pupil.

"The NAACP is aware of it and I feel the city officials are, too. We are sick of it and hope they are," Jones said.

14d(1) 1958

ILLINOIS

Whites Shun School Attended by Negroes

Times Union Wed. 9-3-58

COLP, Ill., Sept. 2 (AP)—School opened in Colp today with Negroes attending a local grade school and white students paying $200 tuition to attend schools in other communities nearby.

The Rev. Archie Mosley, principal of the Colp-Attucks Grade School, said there were no applications from white children for the second year.

The Rev. Mr. Mosley, a Negro, said the Colp district has about 120 grade school pupils, half of them white and half Negro.

"This boycott by white students eventually will destroy the district," he said. He said the school's main financial support comes from the state on a formula based on attendance.

"This school cannot operate with the attendance we have had the last two years," he said. He is pastor of a church in Colp, a southern Illinois community of 300 in which about half the population is white and half Negro.

A number of white families have moved to neighboring school districts since July 1957, when Colp's predominantly Negro school board voted to consolidate white and Negro grade schools. Three white members of the seven-man board resigned after the decision.

After the consolidation, the Williamson County school board voted to split the Colp district along racial lines, annexing an area where white residents live to neighboring Carterville.

The county board action later was ruled illegal by a three-judge panel in circuit court. The court said if annexation were approved about 80 per cent of the assessed property valuation would be turned over to Carterville.

The Rev. Mr. Mosley said property taxes in Colp are inadequate to support the grade school.

Catholics Urge Desegregation Without Delay

CHICAGO, Sept. (AP)—The National Catholic Conference for Interracial Justice yesterday urged Congress and President Eisenhower to avoid any delay in desegregation of the country's schools.

Mon. 9-1-58

In a resolution adopted at the concluding session of the group's three-day meeting, the conference said:

P. A5

"A clear decision of the Supreme Court holding segregation in schools to be unconstitutional should not be clouded by any reluctance in the executive branch or willingness in Congress to give support to the moral principles on which the decision was made.

". . . The people have a right to expect their Chief Executive to use the full moral authority of his office to secure full equality for all citizens in all parts of the country."

School in Illinois Opens with No Whites Enrolled

Times Picayune

COLP, Ill. (AP)—School opened in Colp Tuesday with Negroes attending a local grade school and white students paying $200 tuition to attend schools in other communities nearby.

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P. 1

New Orleans La.

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Wed. 9-3-58

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Truman Raps Nomination of Faubus

New York Tribune

Says Arkansas Voters Showed Their 'Ignorance'

By Walter Lister Jr.

New York, N.Y.

CHICAGO, Aug. 6.—Harry S. Truman said today that Arkansas voters showed "ignorance" last week by their overwhelming indorsement of Gov Orval Faubus' adamant resistance to racial integration in Little Rock's Central High School.

The former President told a press conference: "The voters inin Arkansas were wrong . . because of a hysterical wave of sentiment something like we had in Wisconsin a while back."

Mr. Truman said he hoped the renomination of his fellow Democrat for a sure third term as Arkansas Governor would not prove to be a setback to the Democrats nationally, but he thought the primary vote had certainly "hurt us around the world" because 60 to 70 per cent of the world's population is non-white.

Thurs 8-7-58

Addresses Eagles

In his formal speech here to the sixtieth convention of the Fraternal Order of Eagles, Mr. Truman called for a return to a steadily expanding, full-employment economy as "the only way to make our country safe . . . the only way to protect the free world against Communism."

P. 5

He insisted that the American economy must not be "strangled" by high interest rates and that "consumer income and consumer spending must rise, as they did in the forties and early fifties."

Sounds Warning

Unless the United States takes "bold action," Mr. Truman warned, the Soviet Union may become increasingly stronger until such a time that "we might lose our freedom—not suddenly in a great war—but by slow degrees, over a long time, without a shot being fired." He counseled:

"To assure that if our boys are not being shot at, we are perfectly safe from danger . . . could be a most fatal mistake. The easiest way to avoid being shot at is to let the other fellow have what he wants. That's not peace; that is surrender."

The seventy-four-year-old Democrat from Independence, Mo., drew the heaviest applause from 4,000 Eagle delegates and guests with an ad lib comment o nRussian diplomats and their contributions to international tension: "I wouldn't trust them out of sight, or around the corner."

Mr. Truman turned aside many other questions, saying that foreign policy was not a subject for partisan politics, that a summit meeting would get nowhere without a change in Soivet policy, but that "we should try anything that might lead to peace."

Illinois NAACP to meet soon in segregation talks

CHICAGO — The Education Committee of the Illinois Conference of Branches of the NAACP will hold the second in a series of workshop conferences on the extent and effect of segregation and discrimination in the public schools of the state on Sunday, Oct. 5.

Afro-American

The meeting will be held at the Washington Park YMCA where the situation in the public schools of Chicago will be analyzed.

There will be a summary report on the first workshop conference which surveyed the segregated schools in southern Illinois communities.

Baltimore Md.

* *

THE WORKSHOP will direct its main attention to the all colored schools in northern Illinois communities which are located in Chicago, Argo, Blue Island, Robbins, Phoenix, Chicago Heights, Maywood, Evanston in Cook County; Hopkins Park in Kankalee County and Urbana in Champaign County.

The conference will consider plans for community action, education, legislative and legal measures to end racial segregation and discrimination in education in Illinois so as to secure full equality of educational opportunity for all children.

Oct. 10-4-58

Problems of discrimination in the employment of minority group teachers and racially discriminatory material in text books will also be discussed.

Map Plan To Get Mixed Schools

Chicago Defender
Chicago, Ill.
11-1-58
13

By ROBERT L. BIRCHMAN

URBANA, Ill. — "A full scale campaign aimed at eliminating segregation in the public schools of Illinois" was here at the annual convention of the Illinois Conference of NAACP Branches during the week-end.

The incoming officers were instructed by the delegates representing more than 30 branches, youth councils and college chapters in the state to rapidly move to implement the campaign.

Reports to the convention by the committee noted that there are still about 70 all-Negro schools located in 30 counties outside of Chicago.

ASK FOR PARLEY

The convention called upon its branches in communities having all-Nego schools to "call for conferences with local school authorities to demand that they immediately plan steps to eliminate all-Negro schools and move to the maximum possible racial integration of both pupils and teaching staff."

It was proposed that September, 1959, be set as the goal for "completion of desegregation and the beginning of integration, and that unless action is initiated in good faith by the beginning of the next school semester, legal action will be started to secure compliance with state laws and the decisions of the U. S. Supreme Court."

The legal staff of the Illinois NAACP will consider possible action in both federal and state courts and taxpayers suits charging that the use of public funds for segregated education is a fraudulent use of the taxpayers money.

PRESS FOR LAW

The convention also voted to press for the adoption in the next session of the Illinois General Assembly of legislation that "will implement present state laws and the decisions of the U. S. Supreme Court," that ban racial segregation and discrimination in public education.

The proposed legislation includes a requirement that school districts to be eligible for state school aid must "file a declaration of policy aimed at elimination of segregation in public schools and a program for integration, that districts with all-Negro schools be required to file detailed reports to be made available to the public and would also require that school districts file progress reports on "measures taken to eliminate all-Negro schools, showing evidence of good faith and deliberate speed in the achievement of integration in the schools and teaching staff."

The Illinois NAACP also proposes legislation requiring that the superintendent of public instruction "fully investigate the above called for reports and all claims for state aid from districts that to his knowledge have all Negro schools to determine that the laws are being fully complied with."

The Illinois NAACP is also proposing that there be legislation requiring "the inclusion in teaching materials used in Illinois public schools of information on the contributions of Negroes and other racial and nationality groups to American and world civilization and development of the arts, literature, science and the economic and political growth of the nation."

ACLU Reminds Stratton Of Duty In Ill. School Bias

Defender, Chicago, Ill.; Sat. 11-23-57

6-5

14d(1)

Sec.

The American Civil Liberties Union has "expressed concerned" at Governor Stratton's recent statement that segregation in Illinois schools is a matter for local school boards and the courts.

The ACLU wrote the governor that "one holding your high state office cannot wash his hands of responsibility, especially in view of the mandate set forth in Illinois law."

Kenneth Douty, executive direct- r of the Illinois division of the ACLU, released the following text of his letter to Stratton:

"The Illinois Division of the American Civil Liberties Union is deeply concerned with your recent statement, as reported in the press, that the primary responsibility for abolishing racial segregation in education in Illinois public schools rests with local school boards and the courts.

"The current struggle to achieve equality under law in education, as defined by the 1954 decision of the U. S. Supreme Court, indicates above all else that every level of responsible government has a vit al role to play. Especially in view of the mandate set forth in Illinois law, we believe that one holding your high state office cannot wash his hands of responsibility.

"We agree that this is a matter for local school officials in the first instance, but it is the state which [illegible] that such officials com- [illegible] law in the use of [illegible]

[illegible] also that the Illinois [illegible] on Human Relations [illegible] ive attention to this [illegible] is not empowered by [illegible] to act on such issues.

[illegible] other hand, the Superintendent of Public Intruction is [illegible] to supervise all public [illegible] the state; to make rules necessary to carry into efficient and uniform effect all laws for establishing and maintaining free schools in the state; to determine standards for all public schools and grant certificates of recognition to schools meeting such standards.

"We feel, above all, that as our chief state executive, sworn to uphold the constitution and laws of Illinois and the United States, it is your duty and responsibility to use all the power and influence of your high office to determine that the laws of the state and nation are, in fact, complied with.

"We are citizens of Illinois and are particularly mindful of the great role of the state of Illinois and its people in the fight for the goal of equality under law. We are the land of Lincoln, of Lovejoy and Trumbull, and of countless others. In a period when the issue of equality in education has :austd a serious domestic crisis, our heritage places upon us a special duty to see that our own state laws are scrupulously complied with."

School Segregation In Chicago Rapped

14d(1)

Times Union Jacksonville, Fla.

CHICAGO, Nov. 30 (UP)—Officials of the National Assn. for the Advancement of Colored People charged today that Chicago public schools are the most segregated of any major city outside the Deep South.

Robert L. Birchman, Illinois NAACP director, said in many ways the Chicago public school system practices racial discrimination "more than they do in Little Rock."

He and other NAACP officials served notice they will start a campaign, probably this December, to force the Chicago Board of Education to declare itself on the segregation issue.

Spokesmen for both the NAACP and the school board agreed that Chicago's "Black belt"—the teeming Negro area on the city's South Side—results in schools attended only by Negroes. Schools tend to be completely white in other parts of the city, they said.

P. 44

The NAACP added other charges, however. In Chicago, officials said:

Sun. 12/1/57

New schools are built in white neighborhoods, while Negro area schools merely get "additions."

Negro schools are so packed children have to attend classes in shifts although classrooms stand vacant in white schools.

White children get the city's best teachers, Negro students the second-raters.

A spokesman for the board of education denied the charges and insisted the Chicago school system is entirely free of racial bias.

He said the proportion of new school buildings to additions in 1956 and 1957 is higher in the "black belt" than in any other area. The school system's "master teachers" are concentrated in Negro neighborhoods and on the West Side, he said, and most special service teachers are also sent to the two areas.

~~APPEAL MADE TO GOVERNOR~~

Advertiser Montgomery, Ala.

NAACP Attacks Segregation In Illinois

Wed 10-2-57

14d(1)

p. 4

CHICAGO, Oct. 1 (AP)—The National Assn. for the Advancement of Colored People today asked Gov. William G. Stratton to call a conference to put an end to what it called "deliberate segregation of colored and white children and teachers" in Illinois public schools.

Gerald D. Bullock, president of the Illinois Conference of Branches of the NAACP, said the only alternative to executive intervention would be resort to the courts.

He suggested a meeting of white and Negro leaders to plan integration steps.

Bullock said more than 100,000 Negro children are attending all-Negro schools in 16 counties.

Bullock's statement made these estimates:

There are seven all-Negro high schools and more than 70 all-Negro elementary schools outside Chicago attended by more than 15,000 pupils.

More than 2,300 children attend all-Negro schools in seven suburban communities in Cook County.

Approximately 6,500 students attend four all-Negro high schools in Chicago.

In Chicago 73 elementary schools are predominantly Negro—90 per cent or more—and 87 per cent of the city's 117,000 Negro pupils attend these schools.

In Chicago, the all-Negro schools generally are in all-Negro neighborhoods.

In Springfield, Gov. Stratton said he had no comment.

Ask Funds Held For School Bias

Defender p. 5

Chicago Ill

Sat 12-7-57

The Independent Voters of Illinois have called upon Gov. Stratton to withhold funds from any school district still segregating public school pupils on the basis of color.

14d(1)

The following resolution was also addressed to Attorney General Castle and Superintendent of Public Instruction Nickell:

WHEREAS: it has been called to the attention of the Independent Voters of Illinois that there are numerous school districts in Illinois, in the communities of Colp, Centreville, Hopkins Park and other areas, still violating the United States Supreme Court decision in the school segregation cases by segregating public school pupils on the basis of color

AND WHEREAS: the effectuation of compliance with the said decision of the Supreme Court through Federal Districts Courts is a slow and costly process, and whereas the statutes of the State of Illinois relative to schools provide in Chapter 122 as follows:

"6-37 — No pup shall be excluded from or segregated in any such school Public schools of the State) on account of his color, race or nationality."

?18-14 — No [illegible] cl[illegible] For State school funds) may be filed for any district unless the clerk files with the Superintendent of Public Instruction a sworn statement that the District has complied with the requirements of Section 6-37 in regard to the :ow segregation of pupils on account of color, race or nationality."

THEREFORE BE IT RESOLVED that the Governor and Superintendent of Public Instruction be notified that the IVI urges and requests said officials to follow the provisions of the Illinois school laws and deny the allocation of of State funds to schools in districts such as Colp, Centreville, Hopkins Park and any other school district violating the provisions of Illinois law and the United States Constitution by the segregation of pupils on account of color, race or nationality.

Urge Probe Of School Bias Here

The Hyde Park-Kenwood Community Conference has urged the Chicago Board of Education to probe alleged "ethnic and racial segregation in our school system" and to follow a positive public policy of "consciously seeking racial integration."

The request was made in a statement sent to Edward Scheffler, board member chairing a special committee charged with formulating a human relations policy for the board.

It came on the heels of an announcement by Supt. Benjamin C. Willis that a shift in the boundaries for Hyde Park and 17 other public high schools would go into effect this fall.

At the same time the Hyde Park-Kenwood Conference released a detailed set of recommendations for improving Hyde Park High School as a racially integrated school. These recommendations included a request that the high school boundaries be moved from 39th to 47th on the north end and from 71st to 73rd on the southern end.

P. 9

The School Board has announced it will move the northern boundary from 39th to an irregular line which runs along 47th, 48th and 50th streets. The Conference is seeking to have this reset along 47th street, so the Kenwood community will not be cut in half.

Chicago

In its call for an imaginative human relations policy on the part of the Board the Conference has asked that the first step be "an impartial investigation of alleged de facto ethnic and racial segregation in our school system. This study (to be) conducted by a recognized Human Relations Research Center connected with one of the local universities and sponsored by a responsible local organization concerned with our school system."

Sat. 6-21-58

The announced change in the Hyde Park boundary would send some of the students presently attending that school to Wendell Phillips and DuSable.

Following is part of the text of the Hyde-Park Kenwood conference's statement on human relations and recommendations on Hyde Park high:

1. Since we believe that the achievement of racial integration can greatly contribute to the fullness of the child's education, we recommend that the Board of Education establish a positive public policy of consciously seeking racial integration in the Chicago public schools, as one necessary aim of an urban educational system.

ASK PROBE

2. As a first step toward implementing this policy we urge an impartial investigation of alleged de facto ethnic and racial segregation in our school system. This study should be conducted by a recognized Human Relations Research Center connected with one of the local universities and sponsored by a responsible local organization concerned with our school system. Such study should be made with the full cooperation of the Board of Education. The purpose of this study would be to determine whether all school children receive equal educational opportunity regardless of race, color or creed. The study should be conducted with the idea that any program that would be forthcoming would have as its goal the insuring of equal educational opportunities for all school children regardless of race, color or creed.

3. Good public relations means working with and through existing organizations which are familiar with local problems. We therefore recommend that community organizations, such as the Hyde Park - Kenwood Community Conference and the Association of Community Councils be consulted on problems of local concern which affect them. Where these agencies do not exist, we recommend consulting the PTA's. We sincerely hope principals will be given similar consideration.

Boycott Shakes School Support

Commercial Appeal

White Students Pay Tuition To Attend Others In South Illinois

Memphis, Tenn

By The Associated Press

COLP, Ill., Sept. 2.—School opened in Colp Tuesday with Negroes attending a local grade school and white students paying $200 tuition to attend schools in other communities nearby.

Rev. Archie Mosley, principal of the Colp-Attucks grade school, said there were no applications from white children for the second year in the little town in the southern tip of Illinois.

Wed. 9-3-58

Rev. Mosley, a Negro, said the Colp district has about 120 grade school pupils, half of them white and half Negro.

'Boycott Will Destroy'

"This boycott by white students eventualy will destroy the district," he said. The school's main financial support comes from the state on a formula based on attendance.

P. 1

"This school cannot operate with the attendance we have had the last two years," he said. He is pastor of a church in Colp, a community of 300 in which about half the population is white and half Negro.

A number of white families have moved to neighboring school districts since July 1957, when Colp's predominantly Negro School Board voted to consolidate white and Negro grade schools. Three white members of the seven-man board resigned after the decision.

Ruled Out By Judge

After the consolidation, the Williamson County School Board voted to split the Colp district along racial lines, annexing an area where white residents live to neighboring Carterville.

The county board action later was ruled illegal by a three-judge panel in Circuit Court. The court said if annexation were approved about 80 per cent of the assessed property valuation would be turned over to Carterville.

Rev. Mosley said property taxes in Colp are inadequate to support the grade school.

Race Boycott For Illinois School Seen

Jacksonville Fla.

COLP, Ill. Aug. 30 (UPI)—A former member of the Colp school board predicted today that no white children would show up for classes when school begins Tuesday at the Colp-Attucks elementary school serving this community of about 400 persons.

Wade Roatt, one-time member of the board, said that between 40 and 50 white children from the community had been enrolled, and will pay tuition at nearby schools. He said that none showed up for registration at the school yesterday.

Sun. 8-31-58

Archie Mosley, Negro principal of the school, could not be reached for comment.

Roatt said that the white children were enrolled in four other school districts, whichever one might be the most convenient for transportation which must be provided by parents since no school buses are available to students outside of their regular district.

Decision of parents to enroll white school children elsewhere apparently stemmed from a decision of a three-judge circuit court panel, Aug. 15. It ruled at that time that a group of petitioning citizens could not legally separate from the Colp school district and join the Carterville district, as had been proposed. The ruling came after Williamson County school trustees had granted the petition.

P. 6

The judges said that to permit the division of the district would cripple it financially.

A dispute over school enrollment has been in progress in the district for more than a year. In the spring of 1957, a seven-man school board voted for the consolidation of white and Negro schools. After the vote, three white members of the board resigned, and later led the movement for annexation to the Carterville district.

Illinois White Pupils Boycott Mixed School

Constitution

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dents paying $200 tuition
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P. 1

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Atlanta, Ga.

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14d(1) 1958

ILLINOIS

SCHOOL BOARD DEMANDS DATA ON IDLE ROOMS

Ask Willis for Report by July 1

14d(1)

Supt. of Schools Benjamin C. Willis was directed by the board of education yesterday to present not later than July 1 a complete report on the number of vacant classrooms in Chicago's public schools.

The order grew out of protests voiced during the final revie wof the 1958 budget by board members Sydney P. Brown and Raymond W. Pasnick. The board was reviewing a 49½ million dollar building program proposed by Willis.

Daily Tribune

Plan 59 New Schools

The program called for constructing 59 new school buildings and 24 additions to existing schools.

P. 5

"Ive been asked to pass on millions of dollars in capital expenditures, while existing classrooms go unused," Pasnick said. "I have asked and still do not know exactly what constitutes a vacant classroom, how many there are, and where they are."

"I've been asking for these facts for over a year, and I still don't have them either," said Brown.

Fri. 1-3-58

Believes Data Available

Joseph Pois, another board members, said that after attending the budget review by Willis and his staff last Saturday, he was convinced that the staff has the facts but they are not being communicated to the board.

Chicago Ill.

Willis then told the board that the vacant classroom and double shift problem boils down to this:

"In the inner part of the city, where the schools are oldest, pupil population has doubled and tripled. In the outer areas, where the buildings are newer, many vacant rooms exist. How soon people can move from the inner to th outer area is in part a question of economic status."

Calls for Clarification

Willis asked the board to clarify whether or not the school system was going to continue on the community school idea. He said the question is, "Are we going to build schools in neighborhoods where they are needed, or are we going to transport students in crowded areas to the schools with vacant classrooms?"

The board declined to give him a specific directive, saying it was not important at this time. Willis replied, "It is more important than you think."

27,000 on Double Shift

Of the 336,385 elementary school pupils, 27,000 now are going to classes on a double shift basis. No one in the school system will volunteer an answer as to how many vacant classrooms there are.

Thomas L. Marshall, board member, said he would not accept reappointment to the board when his term expires next April. He has been on the board for five years. Thomas Haggerty and Frank M. Whiston, both eight year members, said they are undecided whether they would accept reappointments if offered.

Majority of Chicago schools segregated de facto—NAACP

Afro-American p. 19 Baltimore, Md

NEW YORK — Analysis of the racial proportions in the elementary and high schools of one large northern city discloses that a majority of all pupils attend schools in which the percentage of white or colored students is so great that the environment is one of segregation.

14d(1)

This NAACP report was made to the Chicago Board of Education.

Sat. 2-8-58

Eighty-seven per cent of colored elementary school children are in predominantly colored schools, the article states.

* * *

OF 355 elementary schools listed in the Chicago school directory, 250, or 70 per cent, are predominantly 90 per cent or more white. and 73, or 21 per cent, are 90 per cent or more colored and 32, or nine per cent, are racially mixed.

Of 35 academic high schools in Chicago, 25, or 71 per cent are 90 per cent or more colored or 90 per cent white.

There is a double shift in 19 per cent of the mixed schools, compared with a double shift in only two per cent of the predominantly white schools.

SCHOOL MIXING HELD PROBLEM

Times Picayune

Gang Structure Is Noted in Chicago Area

New Orleans La

CHICAGO, Feb. 7 (AP)—A school principal said that voluntary segregation among Negro pupils has been a problem in the mixed district where an 11-year-old white girl was slashed by a gang of Negro youths.

14d(1)

Sat. 2-8-58

Mrs. Viola Soderstrom, principal of the Wentworth Elementary School, said a "gang structure" has grown up in the neighborhood where Carol Foss was seized, stripped and slashed Monday evening.

P. 7

The girl was taken off the serious list at the Englewood Hospiaal today.

Mrs. Soderstrom asked Police Lt. Michael Delaney, head of the Youth Bureau, to see that curfew laws are enforced strictly in the South Side neighborhood.

Seated in a wheel chair in a hospital corridor, the Foss girl today picked two Negro youths out of a line-up of 10 and said, "They were there."

The youths, held without charge, were identified as Sammy Chandler, 14, and Elija Hopkins, 13. Police said they denied the accusation.

Mrs. Soderstrom, in whose school Carol was a sixth-grade pupil, said the enrollment is about 10 per cent Negro.

Integration has been generally good, she said in an interview, except for a tendency of Negro children to cling together in groups despite encouragement of teachers urging them to talk and play with white children.

Integration Is Now Reported Slowed Down To Snail's Pace

Daily Home R.

Talladega, Ala.

CHICAGO (AP)—Integration of Negroes into Southern schools has slowed to a crawl since federal troops were employed to force desegregation in Little Rock, Ark., an educators' conference was told yesterday.

14d(1)

Wed. 3-5-58

Only 30 school districts have been integrated in the South since schools opened last fall, Don Shoemaker of Nashville, Tenn., reported to the Assn. for Higher Education.

Shoemaker is executive director of the Southern Education Reporting Service at Nashville.

In the first two years after the Supreme Court decision on integration, there were 450 districts desegregated and 280 in the third year, Shoemaker said.

"Those who write the laws in most Southern states apparently are resolved to create as many legal roadblocks to integration as the courts will allow," Shoemaker said.

"As public opinion is measured by newspaper editorials, it could be shown that of the 30 Southern daily papers of major circulation, hardly a handful are not hostile to desegregation."

Shoemaker noted a "staggering amount" being spent for new school construction in the South. Much of the expenditure is being made in an effort to equalize school facilities while keeping them separate, Shoemaker's report said.

Majority Of Chicago Schools Segregated, Analysis Reveals

Daily World Atlanta Ga Fr 2-7-58 P. 1

NEW YORK — A detailed analysis of the racial proportions in the elementary and high schools of one large northern city disclosed that a majority of all pupils attend schools in which the percentage of white or Negro students is so great that the enviroment is one of segregation.

The analysis, which deals with the Chicago schools, is published in the February issue of The Crisis, official journal of the National Association for the Advancement of Colored People.

The article is a condensation of a statement made to members of the Chicago Board of Education by the Chicago NAACP branch in 1957. Entitled, "De Facto Segregation in the Chicago Public Schools," it indicates that the trend is toward segregation, not integration.

Eighty-seven per cent of Negro elementary school children are in predominantly Negro schools, the article states.

Of 355 elementary schools listed in the Chicago school directory, 250 or 70 per cent, are predominantly white (90 per cent or more non-Negro pupils), 73 or 21 per cent, are predominantly Negro (90 per cent or more Negro pupils), and 32 or nine per cent, are racially mixed, the report says.

Citing further statistics, it states that of 35 academic high schools in Chicago, 25, or 71 per cent are predominantly Negro or predominantly white, adding: "In other words, seven out of every 10 Chicago high school students attend de facto segregated high schools in the sense that 90 per cent or more of the students in these schools are Negro or non-Negro."

"While some of the elementary schools are de facto Negro because of housing, none of the high schools is," the article charges.

"In fact, there seems to be a tendancy to make or keep the Negro high schools small and to send nearby whites long distances, or to attach branches to white schools instead of nearby Negro schools."

"RACIALLY DISCRIMINATORY POLICY"

The report holds that "in cost and quality of instruction, school time, districting and choice of sites, the Chicago Board of Education maintains in practice what amounts to a racially discriminatory policy. This is in great contrast to the carefully planned, favorable atmosphere in which legal desegregation has taken place in such cities as St. Louis, Mo., Washington, D. C., and Louisville, Ky."

Undesirable conditions, in addition to that of a racially segregated environment, exist in the predominantly Negro schools, the article maintains. These include the following, in the elementary schools:

--The average pupil population of the Negro and racially mixed schools is substantially greater than that of the predominantly white schools. There is a double shift in 19 per cent of the mixed schools, compared with a double shift in only two per cent of the predominantly white schools, As a result, "the school itself becomes an important contributing factor to the flight of whites from a transition neighborhood" because white parents "picture their children on double shift until high school." Many Negro parents try to enter their children in parochial schools.

--Predominantly Negro and mixed schools are assigned "a disproportionate number" of inexperienced teachers.

Map Program For School Race Ills

Defender Chicago, Ill.

Sat 2-15-58

The Chicago Board of Education was urged to adopt a four-point program aimed at solving some of the racial problems existing in the city's schools at its meeting last week.

1 22

The proposals were made by the Chicago branch NAACP in a letter addressed to Robert Shriver jr., school board president. They recommended that the Board of Education:

1. Adopt a policy that no elementary schools shall be constructed, no additions to existing units be constructed, nor consolidation of units be made where such action shall result in the accommodation of more than 1,000 students for any such school.

ANNUAL REVIEW

2. Adopt a policy phoviding for annual review of the school population in relation to physical facilities and personnel and the districting of geographic areas, feeder elementary schools and high schools to the end that an even distribution results rather than the present concentration of overcrowding, double shift, and teacher overload in those areas and schools populated predominately by Negro school children; and, arrange advance public review of districting plans BEFORE their adoption.
3. Reaffirm your policy in favor of racial integration in all levels of the public school system and adopt the policy that no acts shall be undertaken to retard or impede integration.
4. Employ an outside independent professional with adequate funds, facilities and full access to Board of Education files, records and personnel to study the human relotions element and its impact upon costs, efficiency of instructional output, racial discrimination and such other factors as the Board may wish, with findings and recommendations for treatment.

The NAACP also expressed the view that a vastly disproportionate number of poor conditions existed where there are larger numbers of Negro children, and that this in addition to being to their detriment, is tantamount to racial discrimination.

Of the school children on double shift, it was pointed out that 75 per cent or more are Negro school children who receive a half-day education.

The civic group also contends that leading school authorities agree that elementary schools larger than 1,000 pupil schools are not sound.

The organization attacked the assignment of Negro teachers and the districting of elementary schools in such a manner that integration of personnel or school children is defeated.

It also declared that classroom load per teacher was in excess of the school system average and that schools with the highest averages are populated predominately by Negro children.

The message to the school board, signed by Theodore A. Jones, president of the Chicago NAACP, asked that the board give the NAACP a report of its views and action on the items listed for its consideration.

Ill. Jim-Crow School Talks Set On March 8

Defender P 3 Chicago Ill Sat

"Segregation in Illinois Public Schools" will be discussed in a workshop session of the Spring Forum of the American Civil Liberties Union on March 8 at Henrici's in the Merchandise Mart.

Mrs. John B Allen, Chicago Board of Education, and Gerald Bullock past chairman of Illinois NAACP, will head a speakers panel. Included among the resource people is Jess Gill, Roosevelt university graduate student, who will report on his study of segregation practices in 16 southern Illinois counties.

Miss Annetta Dieckmann will preside.

3-8-58

The workshop begins at 2:15 p. m. The Forum begins with a luncheon with Edward P. Morgan, Peabody Award radio commentator, as speaker.

The Spring Forum is open to the public and reservations may be made at the American Civil Liberties Union, 19 South La-Salle.

14d(1) 1958

INTEGRATED SCHOOL AID BILL

Nolen Charges Grant Voted Against South

14d(1)

Congressional candidate Wilbur Nolen of Montgomery charged here Saturday night in a television address that Congressman George Grant "voted against the South on the Integrated School Aid Bill."

14d(1)

Nolen, making his second race against the veteran incumbent from Troy, was also critical of Grant's attendance record while in Congress.

Advertiser P 9-7

"While drawing pay from the taxpayers at the rate of $86 per day, Grant was absent from his seat on some of the most important roll calls in Congress," Nolen declared. "Among these roll calls missed were those that provided billions in give-aways to foreign aid."

Sun. 5-4-58

Nolen said if he is elected he "will serve all the people of the Second District and not just the big mules."

"And after four months of 18-hours-per-day campaigning, at every crossroads in the District, I am confident of a tremendous victory on Tuesday," Nolen concluded.

Montgomery

Ala.

14d(1) 1958

IOWA

New Teachers Join Staff of Iowa Schools

Among new teachers who will be on the staffs of colleges and public schools in Iowa is Dr. William E. Gordon, professor of economics and social science, one of four additions to the faculty of Simpson College, at Indianola, Ia.

FRANK ROBINSON

GORDON

Dr. Gordon comes from Marquette University, where he has taught for three years. He is from Trinidad and has degrees from McGill University and the University of London and a master of public affairs and Ph.D. degrees from Princeton University. Dr. Gordon is the author of professional articles and contributions to books.

One of 160 new teachers in the Des Moines public school systems will be Frank B. Robinson, Jr., who will join the staff at Dunlap elementary school. Robinson received his bachelors degrees at Iowa State Teachers college in Cedar Falls, and has completed his course of study for a master's at Drake university but has not written his thesis. He lives at 810 Boyd, and is a graduate of North High.

Pgh. Courier p. 3

Des Moines Iowa Bystander 9-4-58

14d(1) 1958 KANSAS ✓

Carl Johnson Protests Time Magazine Article

Call R. Kansas City Mo.

Fr. 2-7-58

Judge Carl R. Johnson, president of the Kansas City branch of NAACP, wrote a letter this week to the editors of Time magazine protesting against an article concerning Kansas City which appeared in the Jan. 27 issue of the weekly news journal.

Johnson's protest was lodged with Time after a conference he held with Chief of Police Bernard C. Brannon concerning a statement attributed by Time to a Kansas City police officer.

Judge Johnson's letter to Time reads as follows:

Editors of Time, Inc.
540 N. Michigan Ave.
Chicago 11, Ill.

14d(1)

Gentlemen:

Your story in January 27 issue of Time, page 71, under title "The Kansas City Trouble" is substantially distorted and unnecessarily inflamatory. There was no justification for slanting the story so as to imply that alleged pupil trouble in Kansas City public schools, and particularly at Central Junior high, is based on a 64 per cent Negro attendance or the nominal integration of Negro pupils. Moreover, Kansas City police have not and do not patrol schoolyards of integrated schools in this city

We do not claim that all things are ideal in this city from a racial standpoint. We believe we are in a position to know that racial attitudes of any kind in this city will never produce a comparison with Little Rock, Arkansas, or any other city where racial strife may exist. We might also add that we have talked with Chief Brannon of our police department and his immediate staff associates, as well as the police sergeant to whom reference was made in the last paragraph of your article, and the sergeant, in the presence of all of us, stated emphatically that he at no time used the alleged statement attributed to him, or made any reference to Little Rock, or any statement implying that race relations in this city or school pupil problems are so charged as to justify an opinion that a "bump of the wrong person" may produce a situation worse than they had in Little Rock.

Whoever wrote the article is highly uninformed on racial attitudes in this city, as well as the outstanding efficiency of one of the finest police departments in this country.

Very truly yours,
Judge Carl R. Johnson
Branch President

Bonner Springs Boar integrates school

Afro-American

p. 3

14d(1)

Baltimore, Md.

Sat. 2-15-58

BONNER SPRINGS, Kan. (ANP) — The local school board in compliance with a Kansas Supreme Court order to integrate its grade schools voted last week to close Lincoln and accept colored pupils in various schools of this small community.

Last year the school authorities felt it had integrated by transferring two grades, seventh and eighth, from Lincoln to other buildings. The high court warned the board this was not sufficient and set deadline for integration for fall of 1958.

14d(1) 1958

KANSAS

IOLENCE, CRIME AND EXTORTION IN SCHOOLS EXPOSED

Advertiser Montgomery, Ala.

Gym Rowdyism Pops Lid In Kansas

Mon. 2-10-58

p. 7

By ED L. CAMPBELL

KANSAS CITY, Feb. 9 (AP)—It's like the old song:

". . . the teacher pulled the stopper out and
"Pop goes the weasel!"

The 60,000 students and their teachers in the Kansas City school system were struggling along with their studies and their problems without public fanfare until Jan. 7.

14d(1)

On that day, Preston Young, 16-young-old Negro student at Central Junior High School, hit the school's white gym instructor, Richard Powers, 28. Powers said he was struck when he attempted to evict Young from the gym for rowdyism during a basketball game.

Kansas

Forthwith School Supt. James A. Hazlett "pulled the stopper out" on the question of discipline, violence and crime in the city's schools.

"We've had four or five incidents of this type during the current school year and we feel that this type of behavior is going to have to stop," Hazlett told newsmen.

Within a matter of hours almost, others were spilling details of this and other problems: extortion of lunch money, knife-carrying, vulgarity and indecency. Teachers, many clinging to anonymity, told of young hoodlums terrorizing classrooms. School officials ordered stern discipline for offenders. Law enforcement agencies promised full cooperation. Press, radio, television and the public forum were used to reveal and explore the situation.

The community self-searching still is under way.

How bad is the problem? What are the causes? And the cure? The Kansas City Star assigned reporters Harry Jones Jr. and Steve Underwood to a research project. They interviewed more than 100 teachers and educators, came up a series of illuminating articles.

Supt. Hazlett, who as early as last Oct. 7 had set up a special committee to study school discipline, got an early report from his group. The committee said it found lack of discipline took these forms:

1. Habitual impudence.
2. Habitual and intentional disruption of classroom activity by a hard core of minority students.
3. Oral and written vulgarity and obscenity in classrooms.
4. Strongarm extortion racket tactics.
5. Intentional damage to school, teacher and pupil property.
6. Theft of personal and school property.
7. Acts of public indecency.
8. Changing and forging notes and grade cards.
9. Truancy.
10. Boy-girl (sex) relations.

Advertiser

Mon. 2-10-58

p. 2

Numerous cases for the trouble were given.

14d(1)

Robert W. [illegible], director of pupil services and chairman of the school system's discipline committee, said: "The children [illegible] in the early 1940s are the ones in high school today. Mothers and fathers both working. Those babies are the troublesome ones today."

Kansas

But Maj. Doral Denison, head of the police department's Youth Bureau for the past 15 years, says the situation is not as bad as it is being pictured.

"When you get the facts on the individual cases and see both sides of it, you find that very little of the trouble is related to the schools," Denison said. "Statistics show there are 2.5 delinquents per 100 juveniles. Most of those are not even enrolled in school.

MISLEADING STATISTICS

"Statistics can be misleading. Our 1957 figures show there was an increase of 9.1 per cent in juvenile cases over 1956. But 1956 showed an increase of more than 17 per cent over 1955. So actually it is on the decrease rather than increase. The only trouble is, there are more juveniles now than there used to be because of the population increase. So naturally there will be more cases of juvenile delinquency.

"I'm afraid that all this excitement is going to hurt the vast majority of really good children we have in Kansas City."

Denison said the police have never had to place special guards on any of the schools, have had no rape cases in the schools and in 15 years have had on two cases touching on narcotics.

Sex cases, the veteran policeman said, "are at a minimum."

Denison was equally emphatic in declaring that no racial problem was involved and that integration of the Kansas City schools three years ago was not a factor in the situation.

Hazlett also said integration had little to do with the problem. Reporters Jones and Underwood, in their survey, concluded "integration cannot be blamed for the bulk" of the trouble, but added: "Unquestionably the mingling of the races has contributed to unrest."

Hazlett said the school troubles were caused by between two and five percent of the students. It has occurred in all-Negro, all-white and integrated schools.

ASSAULT CHARGES

After gym teacher Powers was attacked, Hazlett told teachers they would get school board support in prosecuting such assaliants. Student Young was suspended for striking Powers and subsequently expelled from school for the remainder of the year. He them was tried in Juvenile Court on an assault charge. The case is under advisement.

County Prosecutor William A. Collet also assured classroom-teachers that his office "will go all out to prosecute any person who attacks a teacher physically."

There have been no reports of any other student-teacher physical encounters since the Young-Powers case. But student mischief — to use a mild term — continues.

What remedy for the situation?

Some vocal citizens advocate corporal punishment.

STUDENT'S PARENTS

But school teachers in Kansas City cannot administer such punishment unless permission in writing has been granted by a student's parents. And at least one member of the school board frowns on such practice.

Hazlett also frowns on the hickory stick approach. He proposed the following nine-point program, based on various surveys:

1. A new state law authorizing a school superintendent to suspend a student for a full term instead of the present 10 days.
2. A new city ordinance — proposed by Denison — empowering police to clear schools and school properties of unauthorized loiterers.
3. Better records of all discipline incidents in the schools.
4. Special classes for children who are not succeeding and no adjusting, "who show signs o aggressiveness and ugliness."
5. A special school, similar t the juvenile homes, where prob lem children could be educate and rehabilitated.
6. Clarification of the areas c responsibility among teachers principals, truant officers, polic and juvenile court authorities.
7. Creation of a review boar at the administrative level for al disciplinary cases.
8. Prompt action by truant officers in getting absent children back into school.
9. Reassignment of teachers New and inexperienced teachers would be kept out of troubl areas.

After Board Meeting –

Carmichael And Johnson Have Heated Exchange On Teacher Integration

14d(1) K

Byck Decides Issue Is Matter For The B of E

by Frank L. Stanley

Lyman T. Johnson, local high school instructor and civic leader, was reportedly told heatedly by Superintendent Omer Carmichael before Board of Education President Dann C. Byck and two reporters, that "you're just too aggressive." The apparent cause of the Superintendent's ire was Johnson's earlier statement to the entire Board and some 65 spectators. At that time, Johnson asked, "Is a system of gradual elimination of the Negro teacher crystalizing right before our eyes?"

14d(1)

After Johnson's full statement, President Byck asked "why these questions had not been taken to the Superintendent before coming to the Board?" Johnson replied, "We have been to him twice already." Byck then said: "Well these things hardly concern all of our guests here tonight. So we will adjourn the meeting and I suggest that Mr. Johnson wait a minute and I will hear him further . . . I shall ask Mr. Carmichael to wait also."

Defender

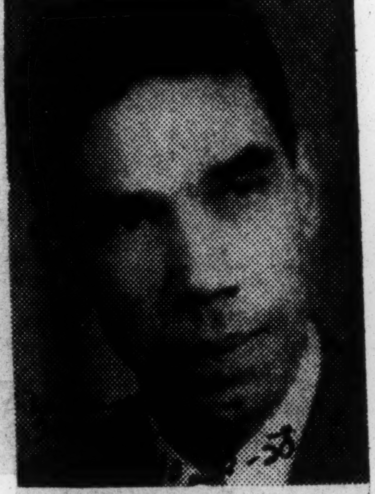
P. 1

Thurs 10-2-58

Every one left the room but Byck, Carmichael, Johnson and two reporters. In the discussion that ensued Carmichael, allegedly shaking his finger in Johnson's face, said, "I have been watching you a long time . . . . You're just too aggressive. I'm through with you." When asked by this reporter for verification of his and the Superintendent's exchange of words, Johnson replied. "No comment," Mr. Carmichael could not be reached by telephone.

Louisville Ky

Earlier, Johnson told the Board: "Specifically, I am a Negro teacher and propose to speak for Negro teachers and future Negro teachers. There could have been enough Negro teachers and patrons out here tonight to fill this room had we thought such a demonstration necessary. However, sometime ago, when some derogatory remarks were carried in an issue of a national publication, U. S. NEWS AND WORLD REPORT, edited by David Lawrence, some 400 Negro teachers assembled and heard Dr. Carmichael explain his ideas on the subject. They appreciated his coming before them but did not agree with his opinions . . . For those who would disparage my status solely because of the Negro in me, I shall say I have utter contempt for such persons. That brings me to the point.



Lyman Johnson

'Negro Positions'

"Why are Negro applicants for teaching positions not given due consideration when the system seems to have such difficulty in getting enough fully qualified teachers to staff the system? By what policy are Negro applicants told there are no more 'Negro positions' to be filled? By what policy are teaching positions labeled 'Negro' or 'white' since the desegregation decisions (1954-1955)?

"Further, when two years ago some 2500 Negro pupils were taken into the so-called white schools, not one Negro teacher went with them. By the rudiments of mathematics one can clearly see that the security of some 85 Negro teachers was put in jeopardy. Then last year another group of Negro pupils went into the 'white' schools, but, again not a Negro teacher followed them. This year schools opened under about the same circumstances. Why, Mr. President have no Negro teachers followed these Negro pupils?

Defender

Thurs 10-2-58

What About Replacements?

"I have taught here for 25 years. So, as for me, I'll get along somehow from here on out, even if I have to hold on to the ropes. But what about replacements for those of us who drop off? Is the Lincoln School case to be the answer? In that case the Negro kids were transferred to two white schools and white teachers, the school was closed and the Negro teachers were shifted to other Negro schools. And why does the rumor circulate at the University of Louisville among white students that they may rush in their applications with whatever qualifications they have because teachers are so badly needed, while Negro applicants with just as good qualifications are told there are no more 'Negro positions' available.

Transfer Plan

"In addition, Mr. President, and other members of the Board, is there not an abuse of the elastic transfer system? Abuse, I won't say that. That is a rough word. I will say misuse of the elastic transfer plan. For example, take Madison Junior High School and Western Junior High School. Last year Negro kids who lived near Western went there in large numbers and the white kids who lived near Madison got transfers to Western. This had a tendency for the white kids from out of the vicinity to crowd out the Negro kids who lived in close proximity to Western. The general result was that there were too many pupils at Western, requiring more teachers there, white, and at Madison, well, a dwindling number of pupils, requiring fewer teachers, Negro.

"Finally, is there a policy of discouraging white pupils from going to the school in their vicinity if the school has an all-Negro faculty? If not, how do we account for no white students at Central and the three so-called Negro junior high schools? Why, anyhow, should the matter of race be tagged onto the enrollment cards of the pupils, if that is done?"

Active Fighter

Johnson has been identified actively with repeated efforts to obtain teacher integration. He figured prominently in the teacher salary equalization fight and was the successful litigant in the 1949 University of Kentucky suit.

Johnson moderated Superintendent Carmichael's requested meeting with Negro teachers in 1956 after the publication of his derogatory comments in the pro-segregation U. S. News and World Report. Subsequently, Carmichael wrote of Johnson in his book, THE LOUISVILLE STORY. "Mr. Johnson later told a reporter that, while my earlier and incomplete statement had been taken as an insult, 'now we are convinced that he did not intend it as an insult.' " The LOUISVILLE STORY continued, "And the teachers applauded my (Carmichael's) closing statement: 'I have a lot to learn about this question of race relations. I may make mistakes, but they will be as fair as my heart dictates' ".

Teachers Dwindle

The crux of the issue is that Negro teachers are dwindling in number and until now, the Board and the Superintendent have refused to integrate a single Negro teacher. Meanwhile, there are increased attempts to deploy Negro students into exclusive white faculty schools which, according to the present trend, will mean it is feared, even fewer Negro teachers.

The chief current example includes Virginia Avenue and Stephen Foster Schools. Because of the completion of a new Parkland housing project, Mr. Carmichael wrote Negro parents on September 16. 1958: "As families move into Southwick Housing Center, Virginia Avenue School will become more and more crowded. It may be that we shall need to transfer a goodly number of children to Foster School."

Deploy Children

On September 22, 1958, the Superintendent again notified parents: "You live in the Foster School district. You have wished your children to attend Virginia Avenue School. Now Virginia Avenue is so crowded that double sessions in some grades are necessary. We must, therefore, ask that your children go to Foster beginning Wednesday morning, September 23."

In another letter of the same date, the Superintendent said: Foster will be receiving more than 100 pupils Wednesday morning. The principal, Miss Helen Borgman, asks that your children come at 9:30 . . ."

In a series of factual articles on teacher integration completed in the last issue of the Defender, it was pointed out in the summary that "The Board of Educaiton passively accepts the principle of teacher integration. The Superntendent has certain fixed opinions based on one study of four years ago, and waits on time, not action, to solve the problem.

Becoming Extinct

"The Negro teacher, caught in a trap between an inactive Board and an enough-for-now Superintendent, is gradually becoming extinct and has no opportunity for growth in the local system . . .

"We believe that if Mr. Carmichael is given to continued inertia n this question, community leadership should soon meet with him and the Board of Education in a determined effort to effect positive action and failing in this, finally resort to the courts with a test suit."

It now appears more necessary than ever that the cause of Negro teachers, so ably championed by Lyman Johnson, must be given immediate and broad community support.

SCHOOL INTEGRATION PROGRESS MADE WHILE INCIDENTS ARE AT A MINIMUM

Defender P. 3 Thurs 2-13-58

Louisville Ky.

Progress on the Louisville integration-desegregation front during the past twelve months has been highlighted by the vastly improved relations between students and parents in integrated situations while incidents were held to a minimum.

One of the best examples of this relationship is the cooperation between students at Male High School where segregationist Billy Branham had enrolled earlier in the year. At first it was feared that Branham would cause trouble at the Brook and Breckinridge school.

Branham Leaves

To the contrary, students of both races have played together on winning teams in football and basketball with the basketball team carrying 3 Negro starting players. Also the celebrated Male Band is composed of Negro and white students. Billy

One of the most outstanding civic achievements on the part of students and parents was the successful fund raising campaign which enabled the band to travel to California and perform in annual Tournament of Roses parade on New Years day They raised over $27,000 for the trip.

The past year found 7,647 Negro pupils enrolled in desegregated schools in the city area. The total number of pupils in integrated situations has risen from 72 per cent in 1956 to 86 per cent for 1957.

Only Incident

The only incident connected with integration was the withdrawal of two children from the Southern Junior High School because of Negroes who enrolled. The parents, Mr. and Mrs. Roy Dupin, 631 E. Gray, later enrolled the children in Eastern Junior High school.

Branham left school in June and did not return.

Also, on April 10 through the 12th of 1957, Negro teachers attended for the first time mixed sessions of the Kentucky Education Association meeting at the State Fair and Coliseum. The Kentucky Teachers Association met during the same period and voted to dissolve its body.

Omer Carmichael

In November, Dr. Omer Carmichael stated at a race relations conference that integration of faculties would take place but added that he had no plans for it at that time. Said Carmichael," Integration of faculties will bring about objections not heard before."

New School

The Louisville Board of Education voted in 1957 to build a new William Perry school on Magazine between 16th and 17th rather than remodel the present school at 1525 Magazine. The new school is proposed to relieve the congested conditions at the James M. Bond, F. T. Saulsbury and S. Coleridge Taylor schools. Estimated cost is $1.210.000.

Segregationist School Expects Boom If Union County Pushes Integration

Operating Now On Slim Budget

By PAUL R. JORDAN

Associated Press Staff Writer

Courier Journal 2-19-58

Louisville Ky.

Morganfield, Ky., Feb. 18—Grove Center Academy, established last September by parents who rebelled against sending their children to Sturgis Consolidated School after it enrolled Negro pupils, claims it will flourish if integration of public schools is pushed in this section.

Wright Waller, Jr., chairman of the board of the new private academy made this prediction Monday.

"We'll either stop integration or we'll have more (pupils) here at Grove Center than we can accommodate," Waller said.

All but One From Sturgis

Outwardly the academy, founded on dissatisfaction and borrowed money, looks like any other Kentucky school. Inside, however, prominently displayed in the classrooms are Confederate flags and posters attacking the Supreme Court decision outlawing segregation in public schools.

All but one of Grove Center's 125 pupils transferred from Sturgis High, where 17 Negroes began attending classes in 1957, protected by Kentucky State police. The Negroes gained admittance to the school under the guns of the National Guard and police in 1956, but the courts held they had enrolled illegally.

Waller, 34, serves in the dual capacity of president of the dual capacity of president of the Union County Citizens Council and chairman of the academy school board.

The school's success, he observed, will depend on the extent integration is pushed in the county.

Waller said the some-300 Negro students attending Dunbar High here have little enthusiasm for changing to all-white schools.

Union County has about 15,000 residents, roughly 10 per cent of them Negroes.

Only Sturgis, with 1,033 students, has been racially integrated in the county.

Morganfield Drive Seen

It is expected that nonintegrationists will push for desegregation in Morganfield next fall.

The academy, operated by principal Paul A. Duet and five teachers, has classes in mathematics, English, history, civics, and general science. No languages are required, but Duet teaches an elective course in German. Waller said a laboratory and additions to the library will be added as funds become available.

The school will go before the State Board of Education next June for consideration for accreditation.

"We intend to comply with State requirements," Waller said.

In Frankfort, State Superintendent of Public Instruction Robert R. Martin said the academy would be judged on performance like any other school.

Bought Building In 1956

Grove Center Academy is owned and operated by Union County Independent Schools, Inc., a corporation formed when the present seven-room brick building was purchased for $15,000 in 1956.

That was shortly after Governor Chandler called out the National Guard to put down disorders over integration at Sturgis and Clay in adjoining Webster County.

Supporters of the school have raised slightly more than $10,000 by selling stock in the corporation for $50 a share. They borrowed $7,000 and obtained a like amount in contributions from throughout the country.

Tuition is $2 a week for one child, $3.50 for two, $4.50 for three, and $5 for four or more.

Tuition income, Waller said, is insufficient to cover operating costs. But he said he expects a big increase in enrollment that will make Grove Center self sustaining.

Waller said the academy has a few hardship cases that are unable to pay tuition. Nevertheless, he declared, "we won't let any child go to school with Negroes if he is sincere and conscientiously opposed to it."

Salaries $1,630 Monthly

The major continuing expense is $1,630 paid monthly for salaries of teachers and two janitor-bus drivers.

When the school was hurriedly set up, he related, "we didn't even have a desk." In addition to equipping the school, getting qualified teachers presented a problem.

The principal, Duet, came from a college teaching job in Louisiana late last fall at a salary of $350 a month. The school faculty includes three retired women instructors, a Union County farmer-teacher, and another male teacher hired in Louisiana.

EDUCATION IN KENTUCKY by Whitney Young

Defender
Louisville Ky.
P. 9

The School And Society

2-27-58

The school is a product of society, and society is composed of people living together with common interests, ideas, customs, and standards of living. Inasmuch as people have to live together, there should be a certain amount of cooperation. Therefore, the school and the community should work conjointly for the welfare of the child, keeping the child as the principal focus, against the essential background of society's needs.

1440
Ky

Experience demonstrates that whenever the teacher and parents find it necessary to work together, and do so, the more desirable program for the child will be developed. The pupil personnel worker has a responsibility for seeing that professional and lay people develop common understanding and purposes and the worker recognizes this aspect of his work as vital in providing educational opportunities appropriate for each child.

(1) Work with the school staff by:
  a. Providing information on policies.
  b. Encouraging teachers to make home visits.
  c. Going with teachers on home visits.
  d. Interpreting community to school.

(2) Work with the pupils by:
  a. Recognizing pupils as the most effective of all the school's public relations agents.
  b. Giving children specific information about the school.
  c. Giving attention to the problems and needs of every child.

(3) Work with the parents by:
  a. Arranging for parents to visit the schools.
  b. Interpreting the school program and policies to the parents.
  c. Explaining that pupil personnel service works to meet individuals needs.
  d. Seeking better school programs.
  e. Helping to develop the kind of progress reports which they can understand and appreciate.

(4) Work with the community by:
  a. Actively participating in the programs of social, civic, and service groups.
  b. Speaking before community organizations.
  c. Using the local press and radio for a continuous presentation of school activities.
  e. Soliciting help and support from community organizations.

The pupil personnel worker should accept his public relations responsibility and use every opportunity to contribute to the realization of the following goals:

(1) Inform the public about the work of the school.

(2) Establish confidence in the school.

(3) Rally support for proper maintenance of the educational program.

(4) Develop an awareness of the importance of education in a democracy.

(5) Improve the teamwork concept of uniting parents and teachers in meeting the educational needs of children.

(6) Integrate the home, the school, and the community in improving educational opportunities for all children.

(7) Evaluate the offerings of the schools in meeting the needs of the children in the community.

(8) Correct misunderstandings as to the aims and objectives of the schools.

—March Issue, Educational Bulletin Number 25

Kentucky Town Established Private Segregated School

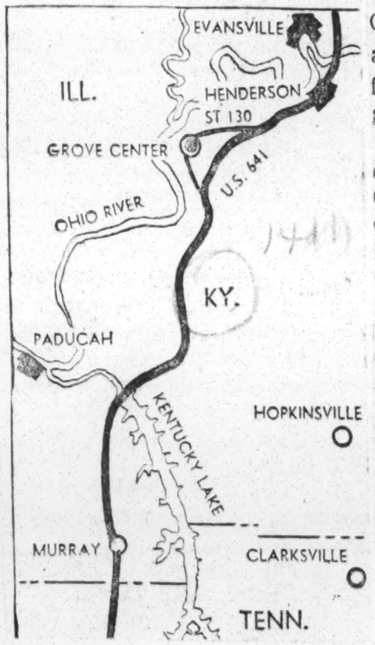
1440 Ky

By NEIL SANDERS

Appeal P 58

The success or failure of a small segregated school set up at Grove Center, Ky., when the public facility was integrated may have a Southwide effect on plans for private schools to avoid integration.

The opening of the Grove Center Academy by local parents who refused to send their children to the newly-integrated Sturgis Consolidated School was reported in a recent issue of the Wall Street Journal.



1441

The private school is one of the first started by whites to avoid the Supreme Court desegregation ruling.

Jan 3 6 58

Reporter Visits Academy

Fred Stannard Jr., staff reporter for the Journal, visited the academy. He said it looks like any other small town school —except for a few unusual classroom adornments, such as Confederate flags and big posters attacking the Supreme Court decision.

Memphis Tenn.

Owned and operated by Union County Independent Schools, Inc., the present school building was purchased for $15,000 in 1956, shortly after Kentucky Gov. A. B. Chandler called out the National Guard to quell anti-integration demonstrations at the Sturgis school.

All but one of Grove Center's 120 pupils attended the Sturgis school early last year. They dropped out last fall when 18 Negroes began regular attendance at the school.

Protested Move

Many Union County folks bitterly protested the integration move. The Journal quoted Wright Waller Jr., 34-year-old Grove Center implement dealer, as saying, "I'll kill any man who forces me to integrate my first grade daughter."

Mr. Waller doubles as president of the Union County White Citizens Council and chairman of the Grove Center Academy School Board. He enthusiastically endorsed plans for the new segregated school.

Grove Center parents are determined to keep their academy operating and growing.

School boosters in this farming and coal mining town have shelled out more than $10,000 for shares of stock in the academy corporation, at $50 per share. They also borrowed $7,000 from two local residents. Another $7,000 was obtained from contributions.

Volunteers repaired, painted and cleaned the rectangular building, which was made obsolete by the county's school consolidation program. Heating coal this winter has been supplied by sympathetic mine owners.

Tuition Insufficient

Tuition income ($2 a week for one child, $3.50 for two, $4.50 for three and $5 for four and over) has been insufficient so far to cover the school's operating costs.

However, school backers are banking on increased enrollment to take care of this problem. The Journal reported many Union County folks believe the 900-student school at Morganfield may be integrated next fall.

If this happens, students may stream from the school there as they did from Sturgis last fall.

There's still a lot to be done at the Grove Center school. The library contains only 200 volumes and the principal, Dr. Paul A. Duet, works in a still-unfinished office.

The faculty consists of five teachers—three retired women instructors, a Union County farmer-teacher and another male teacher hired in Louisiana.

Additions Planned

Dr. Duet told the Journal that Grove Center students are getting "a better grounding in the basics, English and mathematics, than in other schools, because we don't have the staff or facilities to offer many electives."

When more funds are available, school leaders plan to add laboratory facilities, more library volumes and additional elective subjects. The school's application for accreditation is pending.

Youths Protesting Integration Held

Advertiser
Montgomery Ala.

FRANKFORT, Ky. (AP)—State police stopped a car carrying a group of Louisville teen-agers who demonstrated against integration at he Southern Governors' Conference in Lexington Wednesday.

Jan 9 58

They cited one youth with failure to show proof of ownership of the car and charged a 17-year-old with carrying a concealed deadly weapon.

1440
P. 48
Ky

Calvin G. Mayberry, 18, was given the traffic citation and Jack Roach was detained for three hours in juvenile detention facilities for possessing a blackjack.

The car, carrying five boys and three girls, was stopped during a routine check, state police said. The blackjack was found under the dashboard.

14d(1) 1958 KENTUCKY

EDUCATION IN KENTUCKY

by Whitney Young

'Teacher Integration'

Defender
Louisville, Ky.
14d(1)
Thurs
11-20-58
p. 9

At last integration has gotten down to the bread and meat. When the program started, we were all concerned about integration on the graduate level. The most ignorant person could comprehend the statement that you cannot have two engineering schools, two medical schools, two two dental schools, and a number of other highly specialized technical schools. And so, we began to fight to open the doors of our universities.

The 1954 Supreme Court Decision knocked everything that we had thought and done into a state of complete bewilderment. It opened the doors for an all-out fight for complete integration on all levels. A few daring spirits cast away their maps and blueprints, if they ever had one, and dashed headlong into the battle of freeing the Negro. And at this point, I want to make one statement which has been, more or less, the philosophy of my whole life. "No individual is ever truly free unless he owns something or controls something which has monetary value. As long as the other man can say to you, 'Move on, brother, this is my ground,' you are not free. You may think you are, but you are only harboring a delusion."

The Jew knows more about the meaning of freedom than any other minority group in the world. In order to free himself, he has learned the art of circulating his wealth within the Jewish race until he has come to the point where he controls a large block of the wealth of the world.

In the program of desegregation, we need to exercise the same strategy that a General would exercise on a field of battle. You plan your attack and move with all of the vigor and power at your command. If there is strong opposition, you do not continue to march, but rather, you regroup your forces and evaluate your strategy. You may find that there is a more effective means of attack. The same thing holds true when it comes to great social changes like the integration of the races. From all past history, there is every reason in the world to expect strong opposition based on the desire for survival and economic status. From the very beginning of time, man has fought on these two fronts, and will perhaps continue to fight until the end of time.

The Negro people and leaders are up against the strongest opposition imaginable in this matter of integrating Negro teachers, whether it be in the North or in the South. In practically all of our large northern centers the pattern is more or less the same. Even a junior high school principal is a novelty in some of our northern cities.

The Louisville Defender has undertaken to compile the facts about teacher integration. Soon there will be distributed approximately 10,000 copies of a series of articles written by Mr. Frank Stanley, Sr., and the Defender News Staff. It will be worth your while to read the articles and not to get upset emotionally, but to sit down and think through the whole problem and try to arrive at some intelligent strategy to help meet the situation.

I am a graduate of Municipal College, which, in my judgment, was one of the finest colleges in the United States. The Negro strategy in that instance was, perhaps, as bad as anything could possibly be. Here was a college which could have become a part of a great university. Here was a well-trained faculty that would have done credit to any college in the country. We lost the building and we lost the leadership, not to mention the money that would have been put into circulation through various Negro organizations. We did not have an intelligent plan. We allowed our emotions to run away with our common sense.

Unless we are careful, the same thing may happen in every town and city in Kentucky — not to mention the rural communities, The problem, my friends, is far more serious than what meets the eye. We are faced with a life-and-death situation, not because we are demanding too much, but because there is still too much ignorance, too little understanding, too little love, and too little appreciation for the good in all people.

The One Bethought Him to make man
Of many-colored dust,
And mixed the Holy Spirit in,
In portions right and just;
Each had a part of mind and heart
From One Himself in trust.

Thus came the brown and white and
yellow men,
And black and white and red,
So different in their outer look,
Alike in heart and head —
The self-same dust before their birth,
The self-same dust when dead.

14d(1) 1958

KENTUCKY

MADISONVILLE

Three Negro Students Enroll at Madisonville

Courier-Journal
Louisville, Ky.
Thurs 9-4-58
p. 20

Madisonville, Ky., Sept. 3 (AP)—Three Negro students enrolled Wednesday at a previously all-white elementary school here. No trouble was reported.

The only previous integration in the 7,000-student Hopkins County school system was at another elementary school, attended last year by James Martin Van Lear. He enrolled Wednesday in the fifth grade at the same school—Waddill Avenue.

Enrolling at the Pride Avenue school were Bruce Hodges, a second-grader, and Ruby and James W. Mayes, Jr., brother and sister, in the fourth grade. They attended a Negro school here last year.

All Hopkins County schools are open to "voluntary integration" under an order issued in February, 1957, by United States Judge Henry L. Brooks.

The order gives Negroes the right to choose whether to attend white or all-Negro schools.

The Van Lear boy, son of Mrs. Elizabeth Van Lear, president of the Madisonville chapter of the National Association for the Advancement of Colored People, was the only Negro to choose to attend a white school last year.

Hopkins County is adjacent to Webster County, where disorders broke out in 1956 when Negroes enrolled at Clay. They later were ordered out by the courts on grounds the School Board had not filed an integration plan. The Webster County schools now are open to voluntary integration, but no Negroes have enrolled at Clay this year.

Negro Convicted For School Tiff

Advertiser
p. 3A
Montgomery
Ala.
Wed. 9-17-58

MADISONVILLE, Ky. (AP)—Harvey Lee Hayden, 44-year-old Negro arrested during a disturbance at newly-integrated Pride Elementary School last week, was fined $25 Tuesday and sentenced to five days in jail.

A six-man county court jury in this western Kentucky town deliberated 29 minutes. Hayden was charged with breach of peace by threatening Mrs. Eldonia Jones, a white woman, with a knife.

Mrs. Jones and several other white women attempted to block entrance at the school to four Negroes last Wednesday. Hayden drove the Negro children to the school.

Hayden's attorney said the case would be appealed.

14d(1) 1958 KENTUCKY VERSAILLES

Integration Goes Quietly In Versailles

Versailles — Integration began smoothly at the Versailles Elementary Monday when seven Negro pupils attended the formerly all-white institution with 560 white pupils.

The Woodford County Board of Education ordered the desegregation begun despite the claim of overcrowded conditions by the school. The seven Negroes that attended were amng 20 to 25 pupils that had registered earlier for classes at the school.

Two Negro families that had enrolled their children at the mixed school told officials that they would return their children to the Negro school because of the overcrowded conditions at Versailles Elementary.

Accrding to Mrs. Wade George, principal of Versailles Elementary, the Negro school is relatively new.

Although the school serves both elementary and high school pupils, the county integrated its high school last year. Several Negro pupils graduated from the integrated school but none has enrolled this year.

Defender
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9-18-58
p.1
Louisville
Ky

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Negro Leaders Praise Chandler's Rights Aid

Group Laughs, Shouts as Governor Tells Of Desegregation Progress In Kentucky

14d(1) Ky

By ROBERT L. RIGGS
The Courier-Journal Washington Bureau

Washington, May 13.—Governor Chandler won an ovation Tuesday from an audience of national Negro leaders with his account of the progress of desegregation in Kentucky.

He had the crowd of approximately 400 laughing, shouting, and occasionally calling out, "God help us!" in approval.

At the close of his account, his listeners stood and gave him long applause.

Courier Journal

They were responsive to his thinly veiled suggestion that he was available for the presidency in 1960.

P. 1

They greeted warmly his remark: "I am not running for anything, but I am not running from anything, either."

Chandler was one of a group of speakers who addressed a "summit" gathering of Negro leaders under the sponsorship of the National Newspaper Publishers Association.

It was a group privately resentful because President Eisen-

Wed. 5-14-58

hower, in a speech Monday, had urged "patience and forebearance" rather than legislation as the road to attainment of civil rights.

Louisville

Hence, the Kentucky Governor struck a responsive chord when he said: "Patience is a great virtue. I don't want to say it is not. But patience in the face of no action is not good."

K.Y.

The same note had been struck by the speaker who preceded Chandler. He was Thurgood Marshall, chief counsel for the National Association for The Advancement of Colored People, who said: "It's one thing to ask for patience as to whether or not dinner is going to be on time, but when someone is choking me to death, that's no time to talk to me about patience."

Cour Journal

Chandler, Marshall, and two other speakers on the same panel were introduced by Frank L. Stanley, editor and publisher of the Louisville Defender. The other two were Labor Secretary Mitchell, and the Rev. A. H. Shuttleworth, Birmingham.

Stanley presented Chandler as one of the greatest humanitarians, as "a Governor who speaks boldly on civil rights and does not seek safe places to do so;" as one who "has advocated integration in Georgia and Alabama."

Wed. 5-14-58

Unlike the Governor of Arkansas, said Stanley, Chandler did not use the National Guard to block justice, but to further it. He read from a Courier-Journal editorial praising Chandler as being "forthright and a consistent" in upholding law and order and for his support of the Supreme Court decisions.

Chandler told the group there are only two questions involved in the issue of integration. The first, he said, is legal and the second is religious.

"The legal question," he said, "was decided by the Supreme Court. As law-abiding citizens, it becomes the duty of the people of a republic to support the Supreme Court or take the other alternative, which is mob rule."

'Settled at Calvary'

As for the religious question, he said, "That was settled when our Lord bore the cross to Calvary."

Louisville, Ky

Noting Stanley's reference to the Courier-Journal editorial, Chandler said he appreciated it, the paper's praise, especially since "its mission on earth has not been to advance my cause."

With apparent reference to his calling out the National Guard at the time of the public-school integration at Sturgis, Ky., Chandler said:

14d(1) Ky

"They tried me 25 miles from where I was born. I had said when trouble came to Little Rock that they gave President Eisenhower no other choice than to call out the National Guard, because those students had a moral and legal right to go to that school.

Notes 'Misguided Fellows'

"The governor had called the guard to keep them out. I make allowance for the young Governor of Arkansas because of his inexperience. They never would have caught me in a position where the President could have pulled the rug from under me, but then I've been in public life 30 years."

On the use of the National Guard, Chandler said: "We must keep the streets of our cities and towns open. We have some misguided fellows. We had a Mayor of a town who thought he owned it. But I insisted that the streets must be kept open for all people to move freely."

Chandler spoke of the shame he felt in Europe when he was asked to explain such occurrences as the mob in Little Rock. "I could not give an adequate answer," he said, "either on legal, moral, or religious grounds. I think we made a sorry showing in all countries overseas."

Of the seven Southern states where no effort has been made to carry out the Supreme Court mandate on school integration and which were the subject of much discussion during the two-day conference, Chandler said:

"I have said in the South, 'the bell is tolling for you, time is running out on you, this thing must be done'."

Nelson Co. in Ky. to mix in Sept.

14d(1)

BARDSTOWN, Ky. — Public schools of Nelson County will be formally integrated in September when 10 colored pupils enroll in the ninth grade at Bardstown High School, thus eliminating the ninth grade at Bardstown Training High School.

Afro American

Other colored pupils will enroll in county or parochial schools.

P 5

Gradual integration has been in effect in the city for the past four years. Gyms and playgrounds have been open to colored for two years and individual classes at Bardstown have been integrated for more than a year.

Sat. 6-7-58

These classes include typing and industrial arts. Supt. Ted Crosswaite said that these classes will be expanded to include mathematics and science.

Baltimore

EDUCATION IN KENTUCKY by Whitney Young

14d(1) Ky

"Education On The March"

1. President Eisenhower has suggested a program costing about $1,000,000,000 in four years. The chief elements of the program are:

Defender P. 7

(a) Grants to states, on a 50-50 matching basis, to improve aptitude tests for picking out promising pupils, and grants to give young students better counsel and guidance.

(b) Funds for 10,000 scholarships a year to help "deserving" students to go to college, and for 1,000 to 1,500 fellowships to help college graduates pursue teaching specialty. The scholarship money would be allocated to the states on a population basis. Student help would vary according to need. Preference would be given to those with preparation in science and mathematics.

(c) Financial assistance also would be available to help set up and operate training centers in foreign languages.

2. The National Education Association proposes Federal aid of $1,000,000,000 a year which is to be stepped up to $5,000,000,000 within 5 years for emergency and general educational purposes.

Louisville Ky

3. Senator Lister Hill, chairman of the Senate Labor and Public Welfare Committee and Represenative Carl Elliott, chairman of the House Education and Labor Committee, have introduced in the Congress identical education bills which call for expenditures in excess of $990,000,000. The Central provision of these bills contemplates::

(a) 240,000 Federal Scholarships for the education of outstanding college students. 75% of these scholarships would be for students who would study science, engineering, mathematics, and languages. About 40,000 four-year scholarships of $1,000 each would be awarded for a period of six years.

Thurs 5-8-58

(b) $30,000,000 would be provided for matching grants to states for the construction of science-training facilities.

(c) Sums would be provided for graduate fellowships, expansion of graduate schools, improvements for science and mathematics teaching and for counseling and aptitude testing programs.

Governor Harriman of New York has recommended to the New York State Legislature the following:

(a) Increase from 500 to 1,000 the number of annually awarded scholarships of a special maximum stipend of $850 for students of engineering and science.

(b) A program of refresher courses for science and mathematics teachers.

(c) Expansion of efforts to identify and advance gifted students and pupils in any field in which they display special ability and talents.

(d) Increase state aid to education.

Kentucky City's Board Votes Complete Integration By Sept

OWENSBORO, Ky — (ANP) - The City Board of Education ordered an end to all segregation in the Owensboro school system beginning next September.

Chi Defender

Ky

Adopting a recommendation submitted by the Owensboro Integration Committee, the board adopted this policy for the next school year:

No child in Owensboro from grades 1-12 shall be denied enrollment to any public school of this city because of race.

Feb 5-21-58

The all white city school board on a motion by member James E. Allison, approved it unanimously.

FOUR SOUND STEPS.

Owensboro achieved integration in four deliberate steps in response to the Supreme Court's "prompt and reasonable" directive.

In September 1955, the Board of Education permitted Negroes at Western High School to take courses at Senior and Owensboro Technical High Schools, that were not being taught at Western.

In September 1956, the board opened its three high schools to students of any race.

In September 1957, junior high schools, Grades 7 through 10, were opened to all students.

This week's decision opens grades 1 through 6 in any school to all children.

NO FRICTION HERE

Owensboro's approach to integration has been marked with an absence of friction. To a large extent, voluntary segregation has been the self-imposed rule of the races.

Delay Sought In Owen County Desegregation

Defender

Louisville, Ky.

March 6-12-58

Lexington, Ky. — The Owen County Board of Education recently filed a petition in the U.S. District Court, Eastern Division, seeking to get the order for full integration of elementary schools in September suspended until a referendum for a special school building tax is put before the voters in the November election.

8-1

14a(i)

In the petition, the defendants stated that the Kentucky State Board of educaiton was asked on February 20, 1958 to make a study of the existing facilities in Owen County and to recommend practical methods to effectuate the integration order.

Ky

After making the survey, Don Bale, head of the Bureau of Instruction, recommended that new school centers be built in Owenton and New Liberty and that the present Negro schools be consolidated in the new centers.

Revealing a plan to request the Fiscal Court to submit to voters of school district in November general election the question of a special school building tax of not less than five cents or more that 50 cents on every $100 worth of taxable property, the petition by the school board requested the court to set Nov. 25 as a date for a supplementary report on the situation concerning the integration of colored elementary pupils in Owen County.

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According. to Attorney James A. Crumlin, the request is e sentially the same request e tended before in an attempt maintain segregaion in t county.

Defender

Louisville, Ky.

In their arguments in Febr ary seeking to prevent desegr gation, attorneys for the scho board stated that inadequa buildings, worn absolete equip ment, teacher shortage and sca school revenues presented o stacles to desgregation.

March 6-12-58

P. 8

Integration Of Teachers Proves To Be Louisville, Ky's, Toughest Problem

14a(i)

OMAHA, Neb. — The "model" integration of public schools in Louisville, Ky., has been marred only by the continued unemployment of Negro teachers.

Call

So reported Hortense H. Young, Louisville real estate executive, at a panel session at the annual conference of the National Urban League.

8.16

"Only an insignificant number of Negro teachers," she said, "have been employed since desegregation was instituted in 1956. This is a tremendous economic loss to the Negro population of Louisville."

Kansas City

Mo.

Superintendent of Schools Omer Carmichael has been reluctant to employ Negro teachers, according to Mrs. Young, because he felt white parents would object.

Despite the lack of teacher integration, Mrs. Young said the integration of schools and other facilities in Louisville has been "smoothly successful."

9-19-58

Facilities successfully integrated include the public libraries, golf courses, parks, swimming pools, parent-teacher association, public housing, and fire department.

Mrs. Young credited Louisville's success to an historical pattern of "non-segregation", especially in public transportation.

She noted that Churchill Downs, home of the Kentucky Derby, was the first city institution to desegregate seating after World War II.

Other steps in the desegregation process:

1 — Collaboration by Negro and white teachers to obtain equalization of salaries in the school system.

2 — Ending the practice of segregating students at school concerts by the Louisville symphony orchestra.

3 — Use of the flexible transfer system during the integration process to serve as a safety valve for prejudice.

4 — Use of police and other law enforcement agencies to prevent picketing of schools.

5 — Leadership by local newspapers both in support of integration and in handling news of Negro without bias.

On the problem of teacher integration, Mrs. Young said that a recent survey of parents indicated they had no objection to Negro teachers if the school board certified them.

She added that the survey showed white teachers also have no objection to Negro teachers working with them.

14d(1) 1958

KENTUCKY

HOPKINSVILLE

Hopkinsville Schools Begin Desegregation

Courier-Journal
Louisville, Ky.

3 Negro Children Enter Classes Previously All-White as Integration Starts In 3 Grades

Fri. 9-5-58

Special to The Courier-Journal

Hopkinsville, Ky., Sept. 4.—Three Negro students enrolled without incident Thursday in two previously all-white Hopkinsville elementary schools.

7.16

Principals at West Side and Belmont schools said students hardly noticed the registration of the Negro pupils, bring-

The Negroes, in the first, second, and third grades, enrolled under a long-range desegregation program. It permits integration of the first three elementary grades this year.

In Effect Since 1956

Although the program has been in effect since September, 1956, this marked the first time Negro pupils have taken advantage of the integration policy.

"We anticipate no trouble whatsoever," said Claude Hightower, Belmont principal. The students stayed at school only long enough to register. The first full day of classes will come Friday.

Mrs. Louis P. McHenry, wife of a Hopkinsville attorney, accompanied her daughter, Linda, when she enrolled in the first grade at Belmont.

'Almost on Doorstep'

"We live almost on the back doorstep of Belmont, much closer than having to walk several blocks to the Negro elementary school," Mrs. McHenry said.

The McHenrys have two other children in the fourth and fifth grades who will attend Booker T. Washington, the Negro grade school.

Two at West Side

Mrs. McHenry said she planned to abide by the City's integration policy and will not seek to enroll her two older youngsters in previously all-white schools.

Enrolling at West Side School were Donald Daniel Dennis, a second-grader, and his brother, Paul, in the third grade. They are the sons of Mrs. Rosa Lee Dennis, a Korean War widow

the Dennis boys attended the Negro school last year.

The West Side principal said Mrs. Dennis told him that she would enroll her children in the all-white school last year, but changed her mind at the last minute.

About 30 per cent of the 3,300 enrollment in Hopkinsville schools is composed of Negro students, one of the highest percentages of any school district in Kentucky.

Fourth Negro Enrolls At Madisonville School

Madisonville, Ky., Sept. 4 (AP)—A fourth Negro pupil enrolled Thursday at Pride Avenue Elementary School here. It was an all-white school until three Negroes enrolled Wednesday.

The fourth to enroll was Blanche Ray Foster, a sixth-grader.

No incidents were reported at Pride Avenue or at the only other integrated school in the 7,200-student Hopkins County system—Waddill Avenue Elementary School.

Only one Negro, James Van Lear, attends Waddill Avenue.

He was the only Negro to enroll in a white school last year under a Federal Court order opening all schools in the county to Negroes on a voluntary basis.

Negroes Enter Kentucky School

Herald Tribune
New York
Thu. 9-5-58
A 6

HOPKINSVILLE, Ky., Sept. 4 (AP)—Three Negroes enrolled today at elementary schools, the first to do so since a gradual integration program started here in September, 1956. Other Negro students, who make up 30 per cent of this southwestern Kentucky town's 3,300 total enrollment, returned to their own schools.

School Integrated Without Incidents

Fla. Times-Union
Jacksonville, Fla.
Fri. 9-5-58
P. 9

HOPKINSVILLE, Ky., Sept. 4 (AP)—Three Negroes enrolled today at elementary schools, the first to do so since a gradual integration program started here in September, 1956.

There were no incidents as Donald and Paul Dennis, accompanied by their mother, signed up at West Side Elementary. It opened the first grade to Negroes in 1956, with an extra grade being desegregated each year.

EDUCATION IN KENTUCKY by Whitney Young

Defender Chicago Ill.
Thurs. 3-20-58

14d(1)

Report On Desegregation

According to the 1957-58 report, there are now only 12 Negro schools in the state of Kentucky which have been accredited by the Southern Association of Colleges and Secondary Schools. In these schools we will find 5,041 pupils and 238 teachers.

The only complete figures which we have from the Bureau of Instruction, of the State Department of Education, are for the year 1956-57. I think these figures point the direction in which Kentucky is rapidly moving. The report was based on questionnaires received from 221 local school superintendents. The report as issued by the State Superintendent gives the following facts:

(1) To begin with, the enrollment in all the public schools in the State as of October this year numbers 590, 129 pupils in grades 1 through 12. Of this number, approximately 38,500 are Negro children or about 7 percent of the white population.

(2) In Kentucky's 221 local school systems, there are 44 districts which have no Negro population. Of the other 177 districts where the 38,000 Negro children are enrolled, 108 districts either have already started integration or have adopted a plan providing for integration when Negro children elect to enroll. These districts contain about 75 percent of the Negro population. Integration within these districts is 18 to 20 percent complete.

(3) The total number of schools integrated number 233 which enroll 120,307 white children and 8,017 Negro children. With the white group the number of elementary and high school children are about evenly divided, while in the Negro group the elementary children outnumber the high school children by 2 to 1.

(4) Nearly one-fourth of the total number of teachers in Kentucky schools are now serving in integrated schools, the number being 4,722 in the 233 schools with mixed enrollment. Of this number 113 are Negro teachers.

Except in a very few cases the human relations in the integrated schools are excellent. From observation made by school officials on visits to schools, the program is proceeding in a very satisfactory manner. The problem of adjustment on the part of both white and Negro children has proved to be not a great problem at all. The smooth and orderly procedure has been due mainly to these factors:

(1) A positive position on the part of the governors of both this and the past administration requested compliance and obedience to the law. A like position has been taken by most other state and local officials and leaders.

(2) The State Board of Education, assuming the responsibility of leadership on the state level, has urged local school systems to proceed as rapidly as local conditions warrant and offered assistance as needed.

(3) Local school officials and boards of education in most of the local districts followed by assuming responsibility on the local level and in a variety of ways and proceeded in a positive way. The most common way was the adoption of a formal plan on recommendations of bi-racial citizens committees.

(4) Responding to the leadership of the local school systems, the teaching staffs, the PTA's, and other community organizations including churches have been most effective.

We should not conclude this article without taking a glimpse into the future. We cannot stop by simply having a number of Negro pupils admitted to practically all white schools. We contended from the very beginning that wherever desegregation takes place there should be a two-way road. In our plan we cannot help but conclude that the Negro teacher can be a real asset in any integrated setup.

It is equally true that a white teacher would be a real asset if a number of white children were integrated into an all-Negro school. We cannot afford to leave the employment of the Negro teacher to chance. There are too many glaring instances where we have gotten, after many years, only token consideration.

The teaching profession has been one of the most lucrative fields of employment of any of the professions. We must also consider the fact that there are other individuals involved in desegregation; namely, janitors, bus drivers, lunchroom helpers, agricultural agents, etc. We must not forget that the Negro teacher has had tremendous influence in helping to shape the destiny of thousands of Negro youth who graduated from our elementary high schools, and colleges. It has been their constant prodding that has kept the young students on their way to the top.

There are some other factors which need to be considered, especially in the light of Kentucky's fortunate situation of having at least two state schools. Perhaps, not very many people realize what is happening, but in 1947, thousands of white children were segregated because of the Day Law. They were denied the right to attend the two state schools; and therefore, had to accept an inferior type of education in their local community. This leads us to some other conclusions; namely:

Because of the low standards maintained in many of our white schools, especially in the mountains and certain sections of the West, Kentucky's average has been pulled down to the point where we now rank 46th in the nation.

Anyone who has visited these sections will tell you that conditions are really deplorable. Fortunately, Lincoln Institute has been able to rescue the Negro children from more than 57 per cent of these counties and independent districts and give them an education in an "A"-class school with several vocations to select from. We do not want to be a block to integration. At the same time, we do not want to force our Negro children to return to those unfortunate and deplorable conditions now provided for the white children in our state.

What Is The Solution?

The only solution which I can think of is to provide at least two more state high schools similar to Lincoln Institute, where all children from these poor districts can be given at least a standard high school education, with the necessary vocations to prepare them to become decent citizens. All of these schools should be equipped to take care of at least 1,000 students and the expense could be financed by the State, the counties, and the independent districts.

There is no other way to lift Kentucky out of the cellar. We can never hope to have standard "A"-class high schools in most of the poor counties of our state. In many instances, consolidation is out of the question because the people are too isolated and the distance too great. By such an arrangement fewer Negro teachers would lose their jobs, and the Negro children would be given at least a choice that would protect them in instances where there might be undue pressure and open hostility. In my judgment, this is the big issue.

I would recommend as a second step that all three of these schools be developed to a point where they can serve as finishing schools offering a variety of technical courses extending two years beyond the high school.

America is faced with a serious delinquency problem, growing out of broken homes, neighborhood gangs, the necessity for both parents to work in order to provide adequate means for maintaining the home, and other social problems, which have come about as a result of our scientific advancement.

The boarding high school can help to bridge the gap and save thousands of young people from untimely graves. Anyone who has had very much experience with our public high schools will tell you that there are a great many youngsters now attending the public schools that should be in a boarding high school where they will receive personal guidance. It costs less to train young people than to try to rehabilitate adults.

As we advance in the program of desegregation, I believe there will be an opportunity for the two groups to share equally in the opportunities provided. In these schools, democracy can become a reality. Young people will learn to live together and respect each other on the basis of individual dignity. If we pursue this course with common sense and a measure of patience, I believe that Kentucky will be saved from the plight of many northern states which are rapidly developing a segregated system in spite of the fact that there is no law which forbids mixed schools.

It would seem that we would study carefully just what happened in cities like New York, Detroit, Chicago, Cleveland, Cincinnati, Indianapolis, and a number of other cities, so that in the final analysis, our children and grandchildren may not find themselves working under the same handicap which their parents and grandparents had to labor under. I believe there is a sufficient number of intelligent, liberal people on both sides of this question in Kentucky to work out a sound, durable solution to the problem.

Public Schools To Spend $132,000,000 This Year

Seven Million Less Available In 1956-1957

By PAUL R. JORDAN

Associated Press Staff Writer

Frankfort, Ky., April 8.—Kentucky's public-school system will be financed with an estimated $132,000,000 during the 1957-58 term — $7,000,000 above last year's total expenditure.

Dr. Robert R. Martin, superintendent of public instruction, made the estimate Tuesday as he announced final sums of money that will be allotted to the 216 school districts under the minimum-foundation program this year.

The districts will receive $57,785,500 in State funds, an increase of $3,000,000 over the 1956-57 term.

As their share of support, the districts themselves will be required to raise at least $41,897,758 in local tax revenues—up $1,916,594 from last year.

Law Passed In 1954

The foundation law was enacted in 1954 and fully financed for the first time with an additional $20,000,000 during the 1956-57 term.

The law guarantees to each school district at least $80 per pupil in average daily attendance, or the district's per capita allotment for 1955-56, whichever amount is greater.

There is no appreciable difference, over all, in this year's final State allotments and the tentative amounts announced last August.

Martin said some districts got more money, some less, depending on how closely they followed requirements written into the foundation law.

Excluded from the total State appropriation is nearly $700,000 for the "growth fund." This amount, Martin said, will be allotted later to those districts whose daily attendance the first two months exceeded attendance for the corresponding period in 1956-57.

Legal Points Raised

Martin said certain legal questions must be settled before appropriations for growth can be calculated.

Counting the growth-fund money, therefore, the minimum amount of State and local money for education this year will total slightly more than $100,000,000.

The remainder of the $132,000,000 spending program will come from local revenues which represent an effort beyond the legal requirements.

The local-tax effort for at least six districts — Bellevue, Fort Thomas, Southgate, Beechwood, Bardstown, and Woodford County—exceeds the total cost of the foundation program for them.

All Get State Funds

These districts still get State money, but the amounts are based on guarantee provisions of the foundation law only.

Most of the school money goes for payment of teachers salaries, the rest being spent for current expenses, capital outlay (building programs), and transportation.

Five districts will receive more than $1,000,000 from the State this year. They are:

Floyd County, $1,378,009, an increase of $5,707.

Harlan County, $1,624,900, an increase of $28,864.

Jefferson County, $2,729,314, an increase of $392,010.

Louisville, $3,321,232, a decrease of $25,904.

Pike County, $1,837,142, an increase of $109,823.

Teacher-Pupil Ratio Lower

J. C. Powell, head of the Division of Records and Reports, pointed out that the bulk of Kentucky's school children are concentrated in these districts.

Citing improvements, Martin said a lower pupil-teacher ratio was obtained—from 23.8 last year to 23.5 this year—despite an increase in the number of pupils attending school.

Offsetting the pupil increases, he added, was the addition of 775 teachers, making a total of 23,742 for the 1957-58 term.

Martin said there was a net increase of 728 additional classrooms between the 1956-57 and 1957-58 school years. This number included 853 newly constructed classrooms, 126 remodeled, 137 rented and reoccupied, and 388 abandoned.

62 Pct. Have Degrees

This year, 62 per cent of Kentucky's teachers hold bachelor or higher degrees while last year 59.8 per cent were as well trained.

"While tremendous advances have been made in the past two years under the foundation program," Martin said at a press conference, "a job still remains to be done."

14 a (1)

Courier Journal

P. 14

Wed, 4-9-58

Louisville, Ky.

Owensboro To Complete Integration

Grade Schools Will Take Step In September

Special to The Courier-Journal

Owensboro, Ky., May 7.—The City Board of Education Tuesday night ordered an end to all segregation in the Owensboro school system beginning next September.

Adopting a recommendation submitted by the Owensboro Integration Committee, the board adopted this policy for the next school year:

"No child in Owensboro from grades 1-12 shall be denied enrollment in any public school of this city because of his race."

The all-white City School Board, on a motion by member James E. Allison, approved it unanimously.

Owensboro achieved integration in four deliberate steps in response to the Supreme Court's "prompt and reasonable" directive.

Started In 1955

In September, 1955, the Board of Education permitted Negroes at Western High School to take courses at Senior and Owensboro Technical high schools that were not being taught at Western.

In September, 1956, the board opened its three high schools to students of any race.

In September, 1957, junior high schools, Grades 7 through 10, were opened to all students.

Tuesday night's decision opens Grades 1 through 6 in any school to all children.

The board approved this policy, also recommended by the integration committee:

"That the policies followed in the past in relation to the junior- and senior-high schools be continued. This not only permits full enrollment in the secondary school of a student's choice, but also (permits) any mixture of curricular offerings of any of the schools that might fit into their individual schedule."

Friction Lacking

This makes it possible for a Negro enrolled at Western High to continue to take certain courses at Senior or Tech high schools. Conversely, it permits a student at Senior high to take all or part of his courses at Western High.

Owensboro's approach to integration has been marked with an absence of friction. To a large extent, voluntary segregation has been the self-imposed rule of the races.

14 a (1)

Courier Journal P. 20

Thurs, 5-8-58

Louisville, K.Y.

Joe Brown Rips Dupas In Eighth

Champ Floors Ralph 3 Times, Ref Stops Bout

Houston, Tex., May 7. (UP)—Old Joe Brown flogged young Ralph Dupas insensible in the eighth round Wednesday night to score a technical knockout at 2:21 and retain his world lightweight title.

Brown beat the speedy Dupas to the flor three times with a furious barrage after trapping the challenger against the ropes.

Referee Jimmy Webb stepped in to stop the fight after Dupas, unable to lift his arms, tok a last left hook from the champion.

"I caught a lucky punch," Dupas mumbled after the roaring was over. "I don't know why they stopped the fight."

"I thought it was even until the last," Brown said. "My trainer told me at the start of the eighth that 'now is the round.'"

"I hit him with a left hook," Brown said, "and Dupas thought a right was coming."

It was the fourth straight challenger to Brown's title that didn't make the 15-round distance.

Brown belted Dupas, nine years his junior, to the canvas with a wicked right to the head as the eighth round opened. Dupas stayed there for a nine-count.

Dupas Ahead On Points

He pulled himself up into a barrage of rights and lefts from the 31-year-old champion and went down again for an eight-count.

He got up again to meet Brown's sizzling left hook to the chin and sat down for another eight count.

As he got up the third time, Brown clipped him on the chin and Webb stepped in to stop it.

Dupas, 22, was ahead on points before the end came. Brown took charge of the fight in the seventh and began to rap his fellow New Orleans resident with rights above the head.

A rhubarb developed at ringside when Joe Lee, counting for the knockdowns, reached the first knockdown.

Webb, however, said the timekeeper failed to allow for Brown to get to a neutral corner and his (Webb's count) actually had only reached nine.

"I stopped counting for two counts while Brown went to the corner," Webb said.

Journal P. 18

Thurs. 5-8-58

Louisville, K.y

14.a(1)

Ky.

14d(1) 1958

KENTUCKY

Faculty Picture Not So Bright

Defender p.1

Louisville, Ky

by Frank L. Stanley

Kentucky public school integration continues to grow according to the fourth annual report of the State Department of Education's Division of Instructional Services. The report, prepared by Sam B. Taylor indicates that there are also "evidences of trends toward a levelling off in the rate of progress."

Thurs., 11-13-58

School district integration has risen from 16% in 1955-56 to 70.3% in 1958-59. Negro pupils enrolled in mixed schools numbered 313 in 1955-56. There are 11,492 this year. In 1955-56, only two Negro teachers were teaching mixed classes. They increased to 172 in 1956-57, but decreased to 138 this term.

14d(1) Ky

TABLE 1

Integration since 1955-56 in school districts, in schools, pupils personnel and teaching personnel

	School Year			
Integration In	**1955-56**	**1956-57**	**1957-58**	**1958-59**
SCHOOL DISTRICTS:				
Total districts in state	224	221	216	215
Districts with Negro population	184	177	170	175
Districts integrated	30	91	94	123
Per cent of districts integrated	16.0	50.8	55.3	70.3
SCHOOLS:				
Total schools in integrated district	826	1,742	1,736	1,730
Schools integrated	41	233	262	331
Per cent integrated	5.0	13.3	15.4	19.1
PUPIL PERSONNEL:				
Enrolled in integrated districts	97,903	325,478	362,269	[illegible]
Enrolled in integrated schools	16,9[illegible]	128,324	144,079	160,889
White pupils enrolled	16,688	120,307	133,182	149,392
Negro pupils enrolled	313	8,017	10,897	11,492
TEACHING PERSONNEL:				
Number teachers in integrated districts	3,496	11,889	13,384	13,400
Number teachers in integrated schools	641	4,821	5,647	6,053
White teachers	639	4,708	5,475	5,915
Negro teachers	2	133	172	138

Negro pupils constitute roughly 7% of the state public school census. Forty school districts have no colored pupils; 80% of Negro pupils live in the 123 districts that have an open policy. These represent 70% of districts with a mixed population. Eighteen districts having an open policy have no mixed enrollment this year. They are Barren, Boyle, Edmonson, Graves, Hardin, Laurel, McCracken, Webster counties, and Glasgow, Paris, Catlettsburg, Harlan, East Bernstadt, Stanford, Mt. Sterling, Central City, and Providence independent districts. Six new districts were integrated this fall: Owen County, Bardstown, Cloverport, Fulton, Hopkinsville, and Liberty independent districts.

Teacher Integration

Negro teachers are serving on mixed faculties in Bullitt (1), Clinton (1), Fayette (3), Floyd (1), Perry (3), Scott (4), Wayne (2), Caverna (1), Elizabethtown (1), Erlanger (1), Georgetown (1), Newport (3) and West Point (1), making a total of 23 outside of Louisville. The report lists 115 Louisville Negro teachers as integrated. However, they work on all-Negro faculties in six schools where only 97 white students are enrolled along with 3,616 Negro or less than 3%. No Negro teacher in Louisville works under a white principal or with white fellow professionals. Constituting about one third of Louisville's total teachers, Negroes teach only 97 out of 28,969 white students.

As the chart below shows in such Louisville schools as Albert S. Brandeis, Henry B. Manly, Emerson, Nicholas Finzer, Stephen Foster, Margaret Merker, Parkland Elementary, George D. Prentice, F. T. Salisbury, John C. Strother, *Negro enrollment is better than one-third of the total*. At Stephen Foster, it is *almost equal* and *better than half* at Finzer, Parkland, Prentice, and Strother schools. At F. T. Salisbury, Negroes outnumber whites 347 to 199, or 148 more. However, these ten schools employ 170 teachers, none of whom is Negro although 1,769 Negro pupils are enrolled therein, and represent 59% of the combined student bodies.

Fifty-five of Louisville's seventy-two schools are pupil desegregated with 13,526 whites and 1,157 Negroes on the secondary level and 15,443 whites and 6,324 Negroes attending mixed elementary classes.

TABLE II

	Elementary		Secondary		Teachers	
	W	**N**	**W**	**N**	**W**	**N**
LOUISVILLE	15443	[illegible]	13526	1157	1207	115
Theodore Ahrens			1060	37	58	—
J. M. Atherton			941	2	39	—
duPont Manual High			2463	162	110½	—
Louisville Male High			1128	199	47½	—
Shawnee High			1767	132	77	—
Alex G. Barret			600	22	29	—
Eastern Jr. High			763	61	34	—
Gottschalk Jr. High			743	6	34	—
Highland Jr. High			646	6	28	—
Henry B. Manly			673	255	43	—
Parkland Jr. High			902	106	41	—
Southern Jr. High			943	2	39	—
Western Jr. High			897	167	48	—
I. B. Atkinson	738	55			24	—
William R. Belknap	347	2			11	—
I. N. Bloom	305	3			10	—
James M. Bond	2	697			—	21
Albert S. Brandeis	334	105			14	—
California	91	193			9	—
George Rogers Clark	436	45			15	—
Henry Clay	393	58			14	—
Gavin H. Cochran	622	51			21	—
Emma Dolfinger	407	35			14	—
Frederick Douglas	83	275			—	12
Paul Dunbar	3	344			—	13
Emerson	227	117			11	—
Victor H. Engelhard	541	19			18	—
Nicholas Finzer	259	150			14	—
Stephen Foster	370	302			21	—
Benjamin Franklin	291	35			10	—
Nannie Lee Frayser	725	37			24	—
Hazelwood	826	15			27	—
John H. Heywood	349	89			14	—
Mary D. Hill	228	73			10	—
J. Stoddard Johnston	381	83			16	—
Samuel D. Jones	372	65			13	—
James Russell Lowell	619	64			22	—
John Marshall	380	99			15	—
John B. McFerran	711	1			22	—
Margaret Merker	372	129			17	—
George W. Morris	372	84			15	—
Parkland Elem.	258	134			13	—
Portland	442	2			14	—
George D. Prentice	168	97			9	—
Hiram Roberts	395	18			13	—
Theodore Roosevelt	945	20			31	—
C. A. Rubado	537	2			18	—
F. T. Salisbury	197	347			17	—
Ellen C. Semple	849	1			27	—
John C. Strother	226	133			11	—
S. Coleridge Taylor	6	651			—	21
George H. Tingley	336	34			15	—
Virginia Avenue	2	957			—	28
George Washington	297	11			10	—
Phyllis Wheatley	1	692			—	20

Total of White . . 28969 Total of Negro . . 7481

Defender

Thurs

11-13-58

Louisville

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Study Explodes Integration Fears

Negro Teachers Victims Of Administrative Reluctance

END OF SERIES

by Frank L. Stanley, Sr.

During the past two and one-half months, the Louisville Defender has printed a series of ten articles on Teacher Integration. This series was conducted primarily as a fact-finding study to ascertain the actual reasons why teacher integration is yet delayed in Louisville.

Several factors prompted this study. Superintendent Omer Carmichael publicly stated on July 13 that: (1) white parents will not accept Negro teachers, (2) he (Carmichael) "is not sure the time has come to make a start on teacher integration," and he contended (3) "white principals and teachers will not work with Negro teachers."

Beginning of Controversy

On the subject of Negro teachers, Mr. Carmichael quoted in his book, "The Louisville Story", from a previous magazine article, "the average white teacher is considerably superior to the average Negro teacher in competence as a person to teach children. . . "

"How can a person come out of a slummy, crime-ridden area of the city, with poor churches and a few of the things that go to enrich life—how can a person come out of such a background the equal of one who comes out of a more cultured community . . . ?"

The chief reference cited by Carmichael for this conclusion is "Problems of Evaluating Test Scores of White and Negro Teachers" by Arthur L. Benson of Princeton University. This study was made in 1954. Its fallacy is in assuming all Negroes come from slums and every white person has a cultural background.

Obviously, the paramount question is: How can a superintendent who admittedly feels Negro teachers are inferior and who doubts even now that the time has come for teacher integration, give leadership to the problem? Mr. Carmichael's November 1955 12-point desegregation plan for Louisville schools made no mention of faculties. However, previously on June 1, 1955, he stated that "desegregation of pupils had first priority and eventually there would be teacher integration."

Long Delay

In the three years and four months since that time, not a single administrative step has been taken toward teacher integration—no study, no plan and hardly on official discussion. Meanwhile, Louisville Negro teachers have become fewer in number and no new jobs have been opened to them. What recourse then, are Negro teachers to have? The courts? Public sentiment? Could a more general awareness of the pros and cons of the question generate positive action?

Awareness Necessary

The Defender decided its best service in the matter would be to undertake a definitive study of every facet . . . the general public, the entire local teaching profession, the Board of Education, the State Department of Education, the Louisville Superintendent's office, and twenty selected superintendents from similar cities either having integrated faculties or presently considering teacher integration.

We wanted to know:

1) If white parents would object to qualified Negro teachers?

From 131 respondents, we found 80% not opposed, 1% undecided and 19% objecting.

2) Will white principals accept Negro teachers on their faculties?

Complete replies representing Louisville's 67 white principals indicate that only one principal would object, 68% favor teacher integration and 27% were undecided because of the absence of official word from the Board of Education.

3) Will white teachers work with Negro teachers?

Answers from the 155 interviewed showed 52% willing to work with Negroes 32% were undecided, many of whom indicated they prefer not but will if assigned; 16% positively said they would not.

4) Does the Board of Education favor teacher integration?

Four of the five members agree that faculty mixing is inevitable. Does the Board of Education have a plan to effect integration? The general admission is "no plan". All four of the available Board of Education members answering the question, seemed to feel that it **is Superintendent Carmichael's responsibility to advance a teacher integration plan,** meanwhile they will exert no compulsion on him.

5) Is the Negro teacher's future dimmed by segregation?

Assistant Superintendent W. F. Coslow buntly answers with "Draw your own conclusion. The question is elementary. The figures speak for themselves."

Conclusions

The figures show 12 fewer Negro teachers in 1957-58 than in 1956-57, the year pupil desegregation began. Also for the current school year, no additional Negro teachers were hired—only three replacements. At the same time, reportedly 40 new white teachers were employed. Yet the superintendent's office admits that proportionately more Negro teacher possess masters degrees than whites.

We have learned from this study that teacher integration will have acceptance generally from white parents, principals and teachers. The Board of Education passively accepts the principle of teacher integration, but is doing nothing about it. The Superintendent has certain fixed opinions based on one study of four years ago, and waits on time, not action, to solve the problem. The Negro teacher, caught in a trap between an INACTIVE BOARD and an ENOUGH-FOR-NOW SUPERINTENDENT is gradually becoming extinct, and has no opportunity for growth in the local system.

Integration Support

Of the twenty cities studied, none has experienced trouble in integrating its teachers, whether it was Missouri, Maryland, West Virginia, Washington, D. C., or the more Midwestern and Western cities. Every superintendent expressed satisfaction with teacher integration. **In each instance where integrated, the Negro teacher not only has increased in number but has advanced professionally in status. Moreover, he has won new respect as a competent and cultured individual.**

It is, therefore, the considered opinion of the reporters working on this study and many of its professional interviewees that **there is no established reason why Louisville teachers cannot or could not have been integrated.** The greatest need is for Superintendent Carmichael, since the Board is leaving teacher integration solely up to him, to initiate action forthwith. Every one of his theoretical and subjective reasons for hesitancy has been exploded conclusively by the Defender's objective findings.

We believe that if Mr. Carmichael is given to continued inertia on this question, community leadership should soon meet with him and the Board in a determined effort to effect positive action and failing in this, finally resort to the courts with a test suit.

Defender
Louisville Ky
Thurs 9-25-58

Defender
Thurs
9-25-58

14d(1) 1958 KENTUCKY

Future Of Negro Teacher Looks Dim

14d(1) Ky

by Nat Tillman
(Seventh In A Series)

As it became more apparent that there was increasing apprehension in the community about the future of the Negro teacher in the partially desegregated Louisville school system, the Louisville Defender obtained a second interview with assistant Superintendent William E. Coslow.

Defender

To aid in evaluating the Negro teacher's future, answers to the following questions were sought:

Louisville, Ky

ANSWERS SOUGHT

1. How many Negro teachers did Louisville have during the school years of 1955-56, 1956-57, 1957-58 and how many would be employed in 1958-59?

2. What would happen to teachers of closing schools?

3. What happen to teachers in junior high schools with declining enrollment? Were they assigned to high schools, other junior high schools, or elementary schools? If assigned to elementary schools, did this work particular hardships?

Thurs. 8-28-58

4. How many Negro teachers did the system lose (deaths, retirements, resignations, leaves, etc.) over the past year?

5. How many Negro teachers were hired for the coming school year?

6. How many Negroes (other than those in custodial service) work at the Board of Education?

7. What was Asst. Supt. Coslow's opinion of the future of the Negro teacher in Louisville?

ATTEND MIXED SCHOOLS

The records show that 780 more Negroes attended local public schools in 1957-58 than the previous year. Only 258 chose predominantly Negro or all-Negro schools.

Whites in all-white schools declined from 16.9 to 14.8 or 2.1 per cent last year.

Negroes increased their attendance in mixed schools from 46.9 to 60.0 or 10.1 per cent. The decrease in all-Negro schools went from 53.1 to 40 or a 13.1 per cent drop.

TABLE I

TOTAL MEMBERSHIP

	October 4, 1956		September 20, 1957	
	No.	Pct.	No.	Pct.
White in Mixed Schools	28,123	83.1	28,302	85.2
White in All-White Schools	5,708	16.9	4,930	14.8
Total White	33,831	100.0	33,232	100.0
Negro in Mixed Schools	5,630	46.9	7,672	60.0
Negro in All-Negro Schools	6,380	53.1	5,118	40.0
Total Negro	12,010	100.0	12,790	100.0

Negro teachers numerically increased from 345 in 1954-55 to 377 in 1955-56. The principal reason was the opening of Cotter School which had 22 teachers. The year desegregation began locally, there were 23 fewer Negro teachers hired (or 354) than the year before. Last year (1957-58) numbered 365, a gain of 11 but still there were 12 less than 1955-56.

TABLE II

NUMBER OF NEGRO TEACHERS

SCHOOLS	1954-55	1955-56	1956-57	1957-58
Central	60	61	64	66
DuValle	34	42	37	33
Jackson	30	33	23	22
Madison	43	43	38	35
Bond	15	16	21	22
Cotter	..	22	28	31
Douglas	13	11	9	11
Dunbar	21	15	13	13
Lincoln	11	9	6	6
Perry	18	19	17	20
Talbert	10	9	9	10
Taylor	21	22	20	21
Virginia Avenue	25	28	24	27
Washington	24	26	25	27
Wheatley	20	21	20	21
Totals	345	377	354	365

Figures for 1958-59 are not yet released but one additional Negro teacher was hired, according to Asst. Supt. Coslow. There were three vacancies filled which occurred by one death, one retirement, and one maternity leave. One person returning from maternity leave makes an addition of one teacher. Coslow estimates that there will possibly be two when other maternity leaves balance out.

NOT HIRING NEGROES

Allegedly one qualified Negro applicant was told upon making application, "We are not hiring any more Negro teachers." At the same time, reportedly, some two score white teachers have been employed this year.

Significantly, only one white student has ever been enrolled in any of the Negro high or junior high schools, yet Central and DuValle are among the newest and best equipped schools in the city. Jackson had one lone white student at the end of September, 1957. The school that has shown the greatest progress so far as the enrollment of white students is concerned is Douglas. This school went from 42 whites enrolled in 1956 to 83 in 1957. Just the opposite of Douglas, Dunbar had eight in 1956 and none in 1957.

TABLE III

PREDOMINANT NEGRO SCHOOLS

	October 4, 1956			September 20, 1957		
SCHOOL	White	Negro	Total	White	Negro	Total
Central High	0	1,486	1,486	0	1,555	1,55
DuValle Junior	0	647	647	0	577	57
Jackson St. Jr.	0	413	413	0	407	40
Madison St. Jr.	0	867	867	1	729	73
Bond	16	627	643	8	675	68
Cotter	0	906	906	0	938	93
Douglas	42	215	257	83	243	32
Dunbar	8	343	351	0	363	36
Lincoln	0	171	171	0	164	16
Talbert	0	289	289	0	314	31
Taylor	19	597	616	11	653	66
Virginia Ave.	0	805	805	1	821	82
Washington, B. T.	0	796	796	0	800	80
Wheatley	1	570	571	1	667	66

Defender Thurs. 8-28-58

NO HARDSHIP

According to Coslow, Negro teachers at Madiso Junior High were assigned to elementary grades becaus of the declining enrollment. He indicated that he didn' think the change was a hardship on the teachers becaus the Board of Education arranged for them to get temporary elementary certification without returning t school.

Louisville, Ky

In answer to how many Negroes work at the Boar of Education, he named three besides Mrs. Lillian Carpenter, a music supervisor. One of these three, he pointe out, was a clerk but the jobs of the other two were no revealed.

14d(1) Ky

Mrs. Carpenter, said Coslow, supervised only Negr schools but he had no idea whom she would work wit uring the coming school term.

"Teacher integration is up to the Board of Education am just doing a job," stated the administrator., to question on the beginning of teacher desegregation. Whe asked if the superintendent's office should offer a recommendation, he said, "Mr. Carmichael will have to answe as to when he will offer a recommendation to the Board.'

When then is the future of the Louisville Negr teacher?

Mr. Coslow's answer is:

DRAW OWN CONCLUSION

"Draw your own conclusion. The question is elementary. The figures speak for themselves."

And he is right. They do.

As their employment record shows, the number wil fluctuate with enrollment in Negro schools unless teache integration is effected. At the percentage rate of increas of desegregation (Negroes in mixed schools) enrollmen in predominant Negro schools has probably reached it zenith irrespective of a growing local school census. I could well be that Negro school enrollment will swin downward, likewise the number of segregated Negr teachers.

Next week the DEFENDER will discuss other citie in Kentucky and neighboring states that have successfull integrated both their pupils and faculties.

Integration Pace Slowing In State

Survey Also Shows Desegregation Among Teachers Has Declined

1419

By HUGH MORRIS

The Courier-Journal Frankfort Bureau

Frankfort, Ky., Oct. 24.—Racial desegregation of school pupils in Kentucky is advancing only at a snail's pace this year, and the integration of Negro teachers into formerly all-white schools has declined.

Courier-Journal

This was reported by the State Department of Education Friday after a survey, made shortly after the school term opened, of the current desegregation situation in Kentucky.

The report shows:

Louisville Ky.

1. Of 215 school districts in the state, 123, or 70 per cent, have desegregated as a matter of policy. Last year, 94 districts desegregated as a matter of policy, or 55 per cent.

2. Forty school districts have no Negro pupils. Last year, 46 school districts had no Negro pupils.

Sat. 10-25-58

19 Pct. Have Mixed Classes

3. Of the 1,730 schools in these policy-desegregated districts, 331, or 19 per cent, actually have mixed classes. Last year, only 262 of the 1,736 schools in policy-desegregated districts had mixed classes.

P. 1

4. Of the 402,000 pupils enrolled in the policy-desegregated districts, 160,889 are in schools with mixed classes—149,392 whites and 11,492 Negroes.

5. Last year, there were 144,079 pupils in schools with mixed classes—133,182 whites and 10,897 Negroes.

6. Of the 13,400 teachers in the policy-desegregated districts, 6,053 are teaching in schools that have mixed classes—5,915 white teachers and 138 Negro teachers.

7. Last year, 5,647 teachers were in schools that had mixed classes, 5,475 of them white teachers and 172 Negro teachers.

Number Up 3 Per Cent

In summary, the number of Negro children enrolled in desegregated public schools in Kentucky has increased 3 per cent this year over last—or 595 Negro children.

The number of white children enrolled in desegregated public schools has increased about 4 per cent, or 16,210 white children.

Kentucky's pupil population this year dropped to 586,149 as of June 30, compared with 611,414 on June 30, 1957—down 25,265.

Since the start of desegregation three years ago, 105 school districts have put into operation integration programs by actually enrolling pupils of both races in nonsegregated schools.

In addition to these 105, there are 18 other districts which have an "open" policy—they will admit Negro pupils to all-white schools provided they live within the attendance area, but none have yet been admitted.

Districts Are Listed

These open-policy districts are Barren, Boyle, Edmonson, Graves, Harlan, Laurel, McCracken, and Webster counties and Glasgow, Paris, Catlettsburg, Harlan, East Bernstadt, Stanford, Mount Sterling, Central City, and Providence city school systems.

The 123 districts that have desegregated as a matter of policy represent 70 per cent of the school districts with a mixed population. They also contain more than 80 per cent of the Negro pupils.

Six school districts that had mixed enrollments in former years have no mixed enrollments this year. They are Calloway, Johnson, Owsley, and Wolfe counties and Lebanon and Murray city districts.

Six other school districts have mixed enrollments for the first time this year. They are Owen County and Bardstown, Cloverport, Fulton, Hopkinsville, and Liberty city school systems.

Integration Gain Noted In Kentucky

Fourth Year Shows Increase Of Almost 4 Per Cent

FRANKFORT, Ky., Oct. 24. — (AP)—The fourth year of racial mixing in Kentucky's public schools showed almost a four per cent gain instead of leveling off as predicted by officials.

Commercial Appeal

The Department of Education said Friday the increase—from 15.4 per cent last year to 19.1 ni the 1958-59 term—was the second highest since segregated schools were outlawed by the United States Supreme Court in 1954.

1420

Memphis Tenn.

Integration took its biggest step in 1956-57 when 11.1 per cent of the schools mixed Negroes and whites, a jump of 8.3 per cent over the preceding year.

The annual report said 331 schools enrolled 160,889 pupils, including 11,492 Negroes, this year compared with 262 schools that admitted 133,182 white students and 10,897 Negroes a year ago.

Sat 10-25-58

Only a slight degree of integraion was foreseen by Dr. Robert R. Martin, superintendent of public instruction, before school pened. He said he believed this would be true, because of the igh degree of compliance with he court's decision in the past hree years.

P. 7

The report noted school mem-ership at the close of the year June 30, 1958, totaled 586,149 in 215 districts. About 6.8 per cent of these, or 39,708, were Negro pupils. A total of 23,432 teachers, supervisors and administrators were employed last year.

Of the 215 districts, 123 are integrated and 40 have no Negro population. A year ago ,only 94 districts were integrated and 46 had no Negroes.

New Albany Mixes Teachers; Moves Ahead Of Neighbors

Defender

1440

The joint school board of New Albany-Floyd County moved ahead of the other two Falls Cities this week in the area of school desegregation by beginning the process of teacher integration.

Because of a severe drop in enrollment at the all-Negro Griffin Elementary School, four Negro faculty members were reassigned to mixed schools in the system.

P 1

Ky

Teachers Assigned

The principal, Fred Bond, has been assigned to teach in New Albany Junior High School. Mrs. Catherine Webb to Spring Street Junior High School. Mrs. Ruth Harrison Brown is teaching at State Street Elementary, and Mrs. Mary K. Brown serves as reading therapist for the entire system.

Louisville Ky

Thurs 9-11-58

Three teachers will remain at Griffin to take care of 87 students. Under the new set-up, Griffin ceased to be a separate unit and became a part of the Lilliam Emery School under the principalship of James Anson.

P-TA Movement

The drop in enrollment came as the result of a movement by the P-TA under the leadership of Rev. H. A. King, pastor of the Second Baptist Church and president of the interracial Floyd County Ministerial Association. According to Rev. King, more than half of the students expected to attend at Griffin enrolled at Lilliam Emery and Grant Line Road schools.

The minister also revealed that the board offered to reassign all of the Negro teachers to other schools in the system and use Griffin to accomodate the combined third grades of Griffin and Emery under a white teacher. This met opposition from two of the Negro teachers who preferred to remain at Griffin, he indicated.

Intimidating Call

The minister pointed out that the principals and teachers at the schools in which the Negro children enrolled were very cordial but he revealed that he had received an intimidating telephone call by which he was told, You "are going too deep. You had better be careful."

Defender

Thurs 9-11-58

Another group, the Albany Civic League under the leadership of Rev. C. O. Newton, pastor of Jones Chapel A.M.E. Zion, is working to integrate the students at Griffin. Rev. Newton pointed out that his group believes that as long as Griffin Remains an all-Negro school, the students will be "six years behind as far as integrated adjustment is concerned."

Superintendent Barkes revealed that Griffin school was set up as a buffer during the time that integration was taking place in the system. Students attending the school do so on a voluntarily basis.

New Albany and Jeffersonville desegregated their schools in 1953 under an Indiana law. This was before the Supreme Court issued its edict. Louisville waited until two years after the decision to begin any desegregation. Again New Albany has moved ahead of its larger neighbor.

Optional School Closing Provision to Be Sought

Mandatory Clause Repeal Is Wanted by Two

Times-Picayune

By ROBERT WAGNER
(Times-Picayune Staff Correspondent)

P. 12

New Orleans, La.

Tues 6-24-58

BATON ROUGE, La.—The administration moved Monday to make optional instead of mandatory closing of public schools when teachers salaries monies have been depleted.

Sen. C. H. Downs of Alexandria, an administration flor leader, and Sen. E. E. Cole of Many said they would ask for repeal of the mandatory provision at a hearing of the House education committee.

The administration rolled over stiff opposition in the Senate Sunday night to pass the measure, 23 to 14. The House education committee was scheduled to hold a hearing on it Wednesday morning.

MONEY DISAPPEARING

Final passage of the bill by the House aparently would set the stage for a special session of the Legislature, if monies for teachers salaries should dwindle out in some parishes.

Teachers have been getting one-half of a yearly salary increase authorized by the 1956 Legislature. Currently the money is coming from surplus funds, which reportedly are fast disappearing.

The state department of education has said a total of about $32 million would be needed to keep teachers and other school employes at their present salary level.

The Legislature provided $19 to $20 million of this through passage of a one-cent increase in the gathering tax on natural gas.

The Cole bill has the backing of Dr. L. L. Fulmer, president of the Louisiana Teachers Assn., and N. B. Hackett, chairman of the United School committee.

It reportedly was endorsed at a recent convention of the Louisiana Principals Assn. Cole said the proposal had not been brought up at conventions of other teachers groups.

REPEAL SOUGHT

The present law provides that monies for teachers and other school employes' salaries must be spent proportionately over the entire nine-months in which they are normally employed.

Cole's bill apparently would repeal this, by providing that one-half the amount authorized by the 1956 Legislature must be paid each month regardless of how much were available for the school year.

Downs said "as a practical matter" the proposed amendment would permit each individual school board to decide what it would do when and if teachers salaries monies should run out.

Cole had predicted some of the parishes might be faced with the problem by the end of April, 1959.

SCHOOL MIXING REHEARING SET

14d(1)

Motion Filed by Orleans Parish School Board

Times Picayune

P. 18

Sat 7-12-58

The Orleans parish school board filed a motion Friday in federal district court asking a rehearing of its motion for dismissal of the suit in which a group of Negroes seek to desegregate the New Orleans public schools.

Judge J. Skelly Wright, who denied the school board's motion to dismiss on July 2, set a hearing on the new motion for August 6 at 10 a. m.

When Judge Wright denied the motion to dismiss he declared Act 319 of the 1956 Legislature unconstitutional and held that it was merely an article to circumvent his original ruling of Feb. 15, 1956, holding Louisiana's segregation laws unconstitutional and ordering desegregation "with all deliberate speed."

New Orleans, La.

Act 319, he pointed out, was subsequently passed and provided that the matter of classifying schools as either exclusively white or exclusively Negro be placed in the hands of a legislative committee.

BIAS BILLS ADVANCE

Times

Louisiana Senate Adopts Six Measures on Mixed Schools

New York, N.Y.

Wed 6-25-58

P. 22

BATON ROUGE, La., June 24 (UPI)—With only one voice in opposition, the Louisiana Senate passed six school segregation bills Tuesday.

Five of the bills now go to Gov. Earl K. Long. The sixth returns to the House for concurrence in a minor amendment added on the Senate floor.

Senator J. D. Deblieux of Baton Rouge raised the only note of opposition in the Senate. He voted against three of the bills and for the other three. All had received unanimous passage in the house.

The bills set up machinery for avoiding Federal Court school integration orders. They permit the Governor to close schools threatened with integration. If the schools are closed permanently, the school boards may sell the property to private co-operatives of parents, who would run them.

Anti-Integration School Bills Pass In Louisiana

News & Courier

Charleston, S.C.

Wed. 6-25-58

P. 1

BATON ROUGE, La. (AP)—The Senate overrode the lonely protests of Sen. J.D. Deblieux Tuesday and passed six bills setting up machinery to close Louisiana public schools ordered to integrate.

Five measures moved to Gov. Earl Long, the sixth, a constitutional amendment, goes on the ballot for the November general election.

File suit to enter New Orleans branch of LSU

Afro-American P. 3

Baltimore, Md.

Sat 8-9-58

NEW ORLEANS — A. P. Tureaud, veteran civil rights lawyer, has filed suit seeking admission of colored students to the New Orleans branch of Louisiana State University, which opens in September, and the State Trades School in Shreveport.

Many of the one thousand colored high school graduates of New Orleans want to attend the school but have been denied admission. The graduate school of LSU in Baton Rouge and other smaller undergraduate schools have been opened by the courts.

The plaintiffs have named seven officials in the suit and are asking order and decree declarative, that they be permitted to enter and that the schools be ordered to admit them.

The New Orleans branch of LSU will be located on the lake front and will accomodate 1.500 students this year.

U.S. Court Rejects Appeal by Dallas, Keeps Schools in Integration Squeeze

P.2
Constitution
Sat 9-27-58
Atlanta Ga.

NEW ORLEANS, (AP)—The U.S. Fifth Circuit Court of Appeals Friday threw out of Federal Court a school integration appeal from the Dallas, Tex., school district.

The school district found itself in a dilemma between the U.S. Supreme Court integration decision and Texas state laws, subsequently enacted to circumvent the Supreme Court decision.

One Texas law, enacted after the federal courts ordered the district to desegregate, provided that an election, called on a petition signed by at least 20 per cent of the voters, is required to abolish the dual school system. Any district violating the law is ineligible for accreditation and for state funds, and violations are punishable by fine.

Another act provided for transfer of pupils within a particular district, but not along racial lines.

The Dallas school district wanted its position clarified in the conflict between state and federal authority. The district sued the Texas state commissioner of education and other state officials.

U.S. District Judge William H. Atwell of Dallas dismissed the suit.

The appellate court here, affirming Atwell's decision, said, "There is no statute giving the district court jurisdiction over such an action."

The three circuit judges, Elbert P. Tuttle of Atlanta, Ga., John R. Brown of Houston and John Minor Wisdom of New Orleans, based their decision on two points:

The school district has no claim against the state since the district said, "All school districts are subjects to the plenary power of the Legislature."

"And more importantly," because it touches on the district court's jurisdiction, it "demonstrates the inapplicability of the civil rights statutes to a claim of this kind."

The appellate court decision said he school district did not attack e constitutionality of the state ws under the federal Constitu- n.

Louisiana schools close in sympathy with Little Rock

Birmingham News
Birmingham Ala.
Fri 9-26-58
P.8

SHREVEPORT, La., Sept. 26—(AP)—One South Louisiana parish joined 20 North Louisiana parishes in closing schools for today in sympathy with Little Rock's fight against integration.

L. J. Ellzey, president of the school board in Plaquemines Parish, near New Orleans, said his parish "is just as much opposed to integration as the North Louisiana parishes."

The pro-segration sympathy move came as residents of the Arkansas capital city voted on whether the races will be mixed in four high schools.

Two of the 20 parishes were scheduled to close schools for parish fairs—Jackson and La-Salle. But school officials said they sympathized with the "Support Little Rock" move.

Three North Louisiana parishes kept schools open. They were Caddo, where the school closure move began, and Ouachita and Morehouse parishes.

An editorial in The Shreveport Journal last Saturday urged that schools close one day to protest integration of the races in Little Rock's Central High School.

Some 30 Citizens Councils over the state pushed the move in telegrams sent to Parish school officials.

The telegrams asked that classes be suspended "as a token of sympathy in support of the people of Little Rock, Ark., in their fight to maintain segregated schools, states rights and the American way of life."

Telegrams also went to Gov. Earl Long and State Education Supt. Shelby Jackson asking their cooperation. Both said they had no objection.

THE CADDO PARISH school superintendent, Roscoe White, said he took no action on the telegram after polling school board members to get their opinion whether the move would be illegal.

In Baton Rouge, a motion before the school board to declare a "Little Rock Holiday" died for lack of a second.

And in New Orleans, School Board President Emile Wagner Jr., said he got no request for a school closure so did not act on the matter.

Jackson Urges Citizens to Help School Problem

Asks Aid in Finding Permanent Solution

Times Picayune
New Orleans La.
Sun. 11-23-58
P.12

By JAMES McLEAN

BATON ROUGE, La. (AP)—State Supt. Shelby M. Jackson Saturday appealed to the people of Louisiana to turn their attention to the problem of school money and help suggest a permanent solution.

"Many taxpayers think we are paying more than other states for public education," he said.

For the 1957-58 school year, Jackson stressed, Louisiana ranked 29th in the nation in the amount spent per school pupil.

Jackson declined to go into tax questions, other than to say, "Without dedicated revenues for public education, it is difficult for school boards to plan ahead."

PEOPLE FIND WAY

"It is important," Jackson remarked, "that the citizens of this state find a way to provide permanent state revenues in order to guarantee every child, no matter where he may live, a minimum education."

The tall, heavy set Jackson pledged "I will be glad to work with all citizens, all officials or groups, in providing any information needed to help solve the problem of supporting schools adequately."

Supt. Jackson is a speaker at the Louisiana Teacher Assn. convention opening in Alexandria Monday. He said he would ask teacher delegates "to get the true facts to the people."

Back in the 1958 60-day Legislature, one senator proposed an open-handed approach to educational money needs through a nonpartisan committee of all factions. Gov. Earl Long agreed, but the step dwindled into nothing. At that time the administration held its famous closed-door joint legislative session to push fiscal facts into the ears of puzzled lawmakers.

LEGISLATION

Gov. Long's special session program, ending early Saturday, whipped together an emergency $14.7 million without new taxes, to keep schools open nine months.

But Long himself said it was only a temporary answer and "it will be hell next year."

During the 12-day session, Jackson lost when he tried to oppose Long's transfer of $4½ million in unspent school lunch funds from last year to help meet the school fiscal emergency. Jackson insisted all the time the unspent reserve from last year did not belong to the state.

The education superintendent, a firm fighter in past legislative sessions when things didn't go his way, so far has declined comment on whether local school boards now will boost school lunch prices. Jackson's staff had warned the special session of the possibility.

BOARD TO MEET

Jackson only mentioned that the state board of education will meet here Dec. 18.

During the special session, Long's legislative fiscal whip, Sen. B. B. Rayburn of Bogalusa, said his special committee investigating the school lunch program will keep careful watch for any local efforts to boost school lunch prices. The administration argued such steps are unnecessary, that the same amount of $14½ million appropriated for the school lunch program this fiscal year is still available.

Jackson touched frequently in an interview on what he described as public education's need for an assured source of increasing income.

Major state spending agencies, such as education, welfare and highways, now collect many sources of revenue dedicated by law.

STILL NEED FUNDS

But some lawmakers already have reminded despite dedicated sources of income to some agencies the Legislature still has to dig up supplementary funds every year.

Jackson said he often has taken the position that "one of our most pressing problems is to increase the amount of dedicated revenues supporting public education."

Such steps open the best way a sound financial structure in public education, he commented.

During the last 10 years, Jackson reiterated, the number of Louisiana educable children climbed 237,000.

School boards, he continued, had to add nearly 10,000 instructional personnel to cope with the problem.

And while this was being done, Jackson said, professional qualifications of school personnel have "improved tremendously."

North Louisiana Schools Closed In Sympathy Move

Jackson News

Fri 9-26-58

p. 2

SHREVEPORT, La. (AP) — Public schools in 20 north Louisiana parishes today remained closed to support Little Rock's battle against school integration.

The pro-segregation sympathy move came as residents of the Arkansas capital city voted on whether the races will be mixed in four high schiols.

Two of the 20 parishes were scheduled to close schools for parish fairs—Jackson and LaSalle. But school officials said they sympathized with the "support Little Rock" move.

Three north Louisiana parishes kept schools open. They were Caddo, where the school closure move began, and Ouachita and Morehouse parishes.

The parishes which closed their schools included:

Lincoln, Union, Winn, Richland, Caldwell, Franklin, Catahoula, Concordia, Tensas, Madison, East Carroll, Bossier, DeSoto, Claiborne, Webster, Red River, Bienville and West Carroll.

An editorial in The Shreveport Journal last Saturday urged that schools close one day to protest integration of the races in Little Rock's Central High School.

CITIZEN COUNCIL APPROVES

Some 30 citizens councils over the state pushed the move in telegrams sent to parish school officials.

The telegrams, sent from Homer, asked that classes be suspended "as a token of sympathy in support of the people of Little Rock, Ark., in their fight to maintain segregated schools, states rights and the American way of life."

Telegrams also went to Gov. Earl Long and state education Supt. Shelby Jackson asking their cooperation. Both said they had no objection.

Seven church congregations earlier this week called for a one-day statewide school closing as a demonstration of feeling in the race matter.

The Caddo Parish school superintendent, Roscoe White, said he took no action on the telegram after polling school board members to get opinion on whether the move would be illegal.

Other school boards conducted similar polls or called meetings to decide on the closing question.

NEGROES PICK COTTON

Negro schools in East Carroll Parish were not in session, while the Negro schools in Madison Parish were closed for cotton picking.

In Ouachita Parish, both city school board president Tom Scott and parish school board president C. G. Wall said they received the telegram too late to sound out board members and take any action.

Walter Hohmann, Morehouse Parish school superintendent, said he and school board members were in complete sympathy with Arkansas Gov. Faubus and the people of Little Rock. But he said they did not believe a school closing was feasible because time was too short and there were too many problems involved.

In Baton Rouge, a motion before the school board to declare a "Little Rock Holiday" died for lack of a second.

And in New Orleans, school board president Emile Wagner Jr. said he got no request for a school closure so did not act on the matter.

Negro Schools Overcrowded, White Schools Need Pupils

14d(1) La

BY C. W. TAYLOR

Louisiana Weekly

New Orleans La

Sat. 11-8-58

NEW ORLEANS, LA. (ANP) -- They are advertising to get children in some of the white public schools of New Orleans. Parents of the Lakeview public schools say their need is to get more pupils. They report an average of 17 children to the room. The maximum load in white schools is 35 children per class.

They are on the contrary complaining in Negro segregated schools about the number of children in a room and the number of Negro children forced to get only one half-day of schooling. In some schools as many as 65 per room have been reported. There are also reported as many as 9,000 Negro children on half-day classes.

Courts have decreed that New Orleans should be integrated as to schools but there has not been one step made towards this end. Integration would make possible the use of many rooms only partially filled and some rooms not used at all.

Integration would also eliminate the necessity of bussing children across town (white children) in order to fill some schools and bussing other children (Negro children) in order to keep them from attending the school nearest their home.

There are more Negro children in New Orleans' public schools than whites. They report 46,000 Negro children and only 41,000 white children. The number of white schools, however, outnumber those for Negro children eight to five.

Another oddity in New Orleans public schools is that the training of Negro teachers is said to outrank that of white teachers.

Resolution Will Ask Curb On High Court

14d(1)

Action Planned By Louisiana School Board'

Commercial Appeal

Memphis Tenn

Thurs. 12-11-58

MONROE, La., Dec. 10.—(UPI)—A resolution will be sent to the Louisiana congressional delegation by the Ouachita Parish School Board requesting the solons to encourage legislation to curb "the power of the Supreme Court of the United States" concerning integration.

The resolution, adopted unanimously by the School Board Tuesday night, pledged support for the maintenance of segregation in the parish schools. The congressmen were asked to press for laws to "reinstate states" rights and preserve to the individual states the right inherent since the founding of this country to operate a system of public education free from intervention and interference by the Federal Government."

Copies of the board's resolution will also be sent to President Eisenhower, Vice President Richard Nixon, Gov. Earl Long, members of the state Education Board, the state School Boards Association and the officials of all parish school boards in the state.

Judge Wright Issues Final Decree, Board Set To Appeal

La. Weekly
New Orleans
La.
Sat.
11-1-58
9.1

Federal Judge J. Skelly Wright last Thursday issued a final decree that ordered the Orleans Parish Public Schools desegregated.

And while the decree, which in effect, is a permanent injunction, provided that desegregation be begun as soon as necessary preliminaries could be effected, the Special Attorney for the School Board was busy announcing that the decree would be appealed.

Gerard Rault declared that the injunction would be appealed to the Fifth Circuit Court of Appeals. He added that if necessary it would be taken to the Supreme Court.

And so officials of the school system are determined to go through every legal procedure, as they have been determined in the past, though they know their actions will be delaying at the most.

14(d)

The hardest thing to understand is why are the actions being taken, when there is talk that the lack of income in the system may force schools to be closed weeks earlier than usual.

La

Knowing that the consolidation of the school system would permit the board to operate schools at much less than maintaining two systems, would prompt officials interested in the welfare of the program to follow that plan and desegregate.

But apparently our officials, as in the past, are so segregation minded that they persist in trying to maintain it, even at the cost of depriving students of good education.

Actually, the school board has suffered setbacks in the two previous times the case has been brought to the Supreme Court. The case has also had numerous hearings in Federal District Court.

In the previous hearings on the case, all injunctions have been temporary. With the issuance of the permanent injunction, school board officials now have thirty days to file a notice of appeal, then another forty days to bring the appeal to the Fifth District Court.

Here is the text of the decree from Judge Wright:

"This case came on for hearing on a motion of the plaintiffs for a judgment on the face of the pleadings, and the court having granted the motion, now enters the following final decree in this case:

La. Weekly
Sat.
11-1-58

"It is ordered, adjudged and decreed that the defendant, Orleans Parish School Board, a corporation, and its agents, its servants, its employees, their successors in office and those in concert with them who shall receive notice of this order, be and they are hereby restrained and enjoined from requiring and permitting segregation of the races in any school under their supervision, from and after such time as they may be necessary to make arrangements for admission of children to such schools on a racially nondiscriminatory basis with all deliberate speed as required by the decision of the Supreme Court in Brown vs. Board of Education of Topeka, 349 US 294."

The Court of Appeals is not expected to hear the case until late 1959 or 1960.

Final School Order Given New Orleans

Montgomery Advertiser
Montgomery, Ala.

NEW ORLEANS (AP) — U.S. Dist. Judge J. Skelly Wright handed down a final decree Thursday ordering desegregation of the Orleans Parish (county New Orleans) public schools as soon as necessary arrangements can be made.

14(d)

The court's final order enjoined the School Board from permitting segregation of the races any further. It ordered arrangements for admission of children on a racially non-discriminatory basis with all deliberate speed.

NO DATE

Fri. 10-24-58

After the final decision School Board attorney Gerard Rault said it would be appealed. Rault pointed out that the order sets no definite date for the schools to be integrated.

P. 6B

The case has been appealed up and down the court system to the U.S. Supreme Court on technical grounds and the ruling in each case has been in favor of Negro plaintiffs seedking desegregation.

Rault said the School Board would appeal on the basis of Wright's recent decision declaring unconstitutional Act 319 of the 1956 Louisiana Legislature.

The act places classifying schools as white or Negro in the hands of a legislative committee.

The School Board has 30 days in which to appeal Wright's ruling and 40 days in which to file the record with the U.S. Court of Appeals.

Some observers said this might place the case for hearing before the appeals court by late 1959 or early 1960.

Just Wait Until It Is Ol' Mississippi's Turn

Call

You'll Really See Something Then, Says Long

Kansas City, Missouri
Fri. 10-31-58

WASHINGTON, D. C. (NNPA) — In a filmed telecast Sunday over station WDSU-TV in New Orleans, Senator Russell B. Long, Louisiana Democrat, predicted that the people have not seen anything until desegregation of public schools is attempted in Louisiana and Mississippi.

The interviewer pointed out to Long that thousands of students are out of school in Arkansas and Virginia, but schools are running smoothly in Louisiana. "Why has Louisiana been able to maintain a calm during this segregation storm?" he asked.

"Well, that's just because so far they haven't ordered us to integrate schools in Louisiana," Long replied, adding:

Call

"My guess is that if people think they've seen some resistance to school integration in Virginia and Arkansaas, they ought to just wait till they try to integrate Louisiana.

"Of course, some people in Louisiana say if you think you'd see something then, wait till they try to integrate Mississippi.

"But people down there just don't propose to have any of it. And they're going to resist it the strongest possible way.

Fri. 10-31-58

"And my guess is in Louisiana, everyone's as prepared to close their schools down to resist integration of their schools and to maintain segregation in the public schools, or private schools if need be, as the people of any other section of the country, that is any other state in the Union, and probably more so."

14(d)

Asked whether the vote of the Louisiana State Democratic Central committee to oust Camille Gravel Jr., the Louisiana Democratic national committeeman, because of his moderate position on the civil rights issue, indicated that there might be a third party movement under way in Louisiana. Long said it depends upon wha happens as a result of that action.

" If the Democratic National committee sees fit to retain a repre- ntative of the Democratic com- ittee in Louisiana whom the mocratic committee says does represent them at all, Long id, "It's entirely possible that the state committee might tell the ional committee, 'why you fellows don't represent us either.'

"And that, of course, could lead o all sorts of misunderstanding etween the state committee and he national committee."

Sen. Rainach Told

Closing Of Public Schools Is An Invitation To Chaos

Weekly P.1 New Orleans La

14d(1) Weekly La.

New Orleans--Legislation to close the public schools, as a measure toward meeting the problem of integration, has been subjected to critical analysis by a Southern educational agency.

"Such drastic action", said the statement, "can amount to abandonment of the basic foundation of our democratic institutions which are grounded on our having a literate, educated and informed populace."

"Close the schools legislation" has been proposed for next month's meeting of the Louisiana legislature by the joint legislative committee on segregation, Senator William M. Rainach, Chairman. Such legislation has been approved by other Southern states.

"Destruction of the public schools is an invitation to chaos", wrote Aubrey W. Williams, President of the Southern Conference Educational Fund, Inc., in an open letter to state officials and to all members of the Louisiana legislature.

"Evidence of this", Williams stated, "lies next door in Mississippi where much less sweeping legislation, the repeal of the compulsory school attendance law, resulted in a 44% increase in juvenile delinquency in 1956, the year after the law was repealed.

Sat 4-19-58

"Furthermore", he wrote, "public education, as we have it, is subject to public control, a system where the standards of teaching and accomplishment, of organization, personnel control, curriculum content, teaching materials, etc., can be and are established, maintained and improved. No substitute educational system, whether a subsidized private school system or other device, could in fact be set up subject to anything like the present enforceable standards.

"We ask you to give your most solemn scrutiny to this extreme proposal, to discuss it with the ministers, school people, and civic leaders among your constituents, in awareness of the many real dangers which the proponents of the measure fail to foresee or mention, but which are necessarily present.

Sat. 4-19-58

The SCEF is a Southwide non-profit agency. It's sixty-five member Board of Directors, all of whom reside in the South, includes twenty college presidents, professors and teachers.

14d(1) La.

Orleans School Board Names New Appointments

Weekly New Orleans La. P.1

Sat. 5-17-58

The Orleans Parish Schoo Board, Monday night, announced the transfers & appointments affecting 28 principals, which will become effective immediately.

14d(1) La.

The reassignments and appointments were being made due to the recommendations by the superintendent, the assistant superintendents, and the director of personnel, for the anticipated vacanies for principalships due to retirements and new school construction for the 1958-59 school session.

Alfred B. Hebeisen, personnel director said the transfers and appointements would effect 16 Negro schools.

The board approved these appointments and transfers:

Duncan A. Waters, now princiapl of Lockett elementary school, principal of new Helen S. Edwards school.

Ernest J. Wilderson, now principal of Medard H. Nelson school, principal of the Henderson Dunn school.

Mrs. Zenobia M. Johnson, now principal of Macarty school, principal of the new Joseph Hardin school.

Miss Anna M. Lacaze, now principal of Lawton school principal of the new Murra Henderson school.

Milton J. Becnel, now principal of Green Junior High school, principal of the new George Washington Carver High school.

Alvin J. Aubry, now principal of McDonogh No. 32 school, principal of George Washington Carver Junior High school.

Walter E. Morial, now assistant principal of Clark Senior High school, principal of the Lockett school.

Henry W. Johnson, now assistant principal of McDonogh 35 High school, principal of the Nelson school.

Wadsworth A. Davis, now acting principal of McDonogh No. 40 school, principal of Macarty school.

Weekly P.2

Harold F. Brown, now a teacher at Booker T. Washington High school, principal of the P.S. Lawton schools.

Richard W. English, now principal of James Lewis school, principal of Green school.

Robert N. Perry, Jr., now assistant principal of W. L. Cohen High school, principal of Lewis school.

Sat. 5-17-58

Louis H. Meyi, now acting principal of Landry Junior - Senior High school, principal of McDonogh No. 32.

14d(1) La.

Charles B. Rousseve, now principal of Woodson Junior High school, principal of Booker T. Washington High school.

Edward F. Johnson, now principal of Ricard school, principal of Woodson Junior High school.

Warren J. Llado, now assistant principal of Booker T. Washington High school, principal of Ricard school.

Segregation Bills OK'd In Louisiana

Commercial Appeal P. 17 Memphis Tenn.

House Committee Sends All To Floor For Approval

BATON ROUGE, La., June 9. —(UPI)—The House Public Education committee Monday put a unanimous stamp of approval on a package of eight segregation bills and sent them to the House floor for final action.

Senator W. M. Rainach, chairman of the Joint Legislative Committee on Segregation which drafted the measures, drew laurels from the Education Committee and applause from the majority of persons attending the public hearing when he said:

"Regardless what the Supreme Court says, we are going to whip their ears down."

14d(1) June 10 58

The bills approved by the committee Monday — which could come up for final passage in the lower chamber Tuesday—would:

Allow the Governor to close any school threatened with integration.

Continue payment of school employes imprisoned or called away from their jobs as a result of Federal action relating to race mixing.

Provide for education co-operatives modeled on the Federal REA Act.

Provide for education grants to children attending private schools because of integration.

Set up a pupil assignment system patterned after the Alabama school placement law recently upheld by a three-judge Federal Court as being "fair on its face."

Prohibit budgeting any funds for racially-mixed schools.

Provide that any school official guilty of an intentional act designed to bring about integration in public schools shall be guilty of malfeasance in office.

Propose a constitutional amendment for expense grants to children attending private schools.

Educators and segregation leaders told the House Committee Louisiana can avoid another Little Rock by adopting eight bills.

Denounce Hate Bill To Close Schools

Louisiana Weekly

New Orleans, Louisiana

14 Ed

Sat. 6-7-58

P. 1

Baton Rouge - A petition given Senator W.M. Rainach in the legislature by the Louisiana Civil Liberties Union Sunday, called a segregation proposal to close public schools faced with a court order to integrate "disastrous" and "an unworkable scheme.

Rainach's proposal calls for the closing of the schools faced with integration and then their reopening as private schools or as segregated public schools under the protection of the state police.

The petition stated: "More than 100 years ago the people began building an excellent school system, and now the legislature may undo in one day what it has taken 100 years and millions of tax dollars to construct." It was signed by 550 persons.

George A. Dreyfous, Union President, stated that the petition was circulated in a limited way. On the circulating, Dreyfous said: ' The response to this limited circulation convinces us that if it were possible to reach all Louisiana citizens, a strong mandate against the Rainach proposal would result."

Dreyfous said further: "We are confident that most citizens, regardless of their attitudes on the segregation problem, do not want the public school system destroyed by unworkable schemes for circumventing the laws of the land."

In the petition, the reasons expressed for opposition to the proposal included the loss of accrediation, teacher's retirement destroyed, loss of control over the schools, the lunch program would be lost and that such a plan would not protect segregation.

Earlier, Rainach lashed the Methodist Church for publicly favoring integration in the schools. He said that a resolution adopted by the Louisiana Methodist Conference would make "a Little Rock out of every city and hamlet in the South."

In hitting the church group, Rainach said they advocate retaining the public school system "…. at all costs even if the schools are integrated.'

Rainach said he felt sure that the group's resolution did not represent the true feelings of Methodist people in Louisiana. He said he felt that if the resolution was put to a membership vote, it would not pass.

Louisiana Weekly

The proposal was part of a package that included the following other hate proposals:

New Orleans

Sat. 6-7-58

P. 2

1) The authorization that money be supplied for expense grants for children attending private schools in lieu of racially integrated schools; 2) 3 bills concerning the federal action against voting registrars; 3) $25,000 appropiations to cover expenses of the segregation committee; 4) prohibit spending funds in integrated schools; 5) to make an act that is intentionally aiding integration an act of malfeasance; 6) to provide for cooperatives in education under private sponsorship of schools if needed, and to provide that state or local school officials be paid while away from duties as a consequence of federal action brought about by integration.

Clergy Fight Plan to Shut La. Schools

Wash. Post-Times Herald

Wash. D.C.

Thur. 6-19-58

14 Ed

BATON ROUGE, La., June 18 (AP)—Church-led opposition has formed against a plan to close Louisiana's public schools rather than submit to court-ordered integration.

The Rev. D. W. Poole, Baton Rouge supervisor for the Methodist Church, said yesterday that closing public schools would "be a curse to all our children."

P. 4

"Show us some sane steps forward in the new day in which we live rather than fighting for that which is doomed to utter failure." he asked the legislature.

Copies of his statement and a resolution adopted by the Louisiana annual conference of the Methodist Church opposing the school closing bills were mailed yesterday to all legislators.

The segregation bills drew fire before the House Education Committee from the Louisiana Civil Liberties Union, the Southern Conference Education Fund and two Louisiana State University faculty members.

The opposition had little effect on House members. Last Wednesday the bills sped through the House with only one dissenting vote.

Under a new bill sent to the House floor today, a white passenger on a Louisiana bus or trolley could refuse to let a Negro occupy the same seat an da Negro could do the same.

What was described as a compromise came after segregation leaders and bus operators agreed on the single measure as Louisiana's new hope to maintain separate seating of the races.

Senate Rushes Racial Package

Commercial Appeal

Memphis, Tenn.

Hearings Today On Louisiana School Measures

Fri. 6-13-58

LONG BACKED IN FEUD

P. 1

By United Press International

BATON ROUGE, La., June 12. —The Senate hurried eight school segregation bills to committee Thursday and then swept over weak opposition to back Gov. Earl K. Long in his feud with Secretary of State Wade O. Martin.

Senator F. E. Cole set a hearing for the eight-bill segregation package in his education committee for 1 p.m. Wednesday.

14 Ed

No Fireworks Seen

The measures, drafted by a joint legislative committee on segregation, are not expected to cause the fireworks in the Senate they set off at a similar hearing in a House committee this week.

It was then that two LSU professors appeared opposing the plan to close public schools rather than have them integrated. Their statements started a wave of indignation in the Legislature which brought a full-scale investigation of integrationist members of the LSU faculty.

The upper chamber gave 26-8 approval to a bill that would remove Mr. Martin from any control over the state's voting machines. It would make the custodian of voting machines an elective office.

The measure would abolish the State Voting Machine Board, set up two years ago when Mr. Long pushed through legislation taking the machines away from the secretary of state's administration.

Caused Bitter Battle

The 1956 measure caused a bitter battle between the two officials. It set up a 10-man voting machine board with Mr. Martin as a member.

Mr. Martin promised he would put up more than token opposition in the House, where Representative Marshall Brown of Orleans Parish has introduced a bill to put the machines back under the secretary of state.

The scrappy Mr. Martin said he hoped both bills would come up at the same time in the House, where he is expected to muster more support.

Several senators criticized the measure as it breezed through the upper chamber.

Senator Robert Ainsworth of New Orleans said "the board has had a notable lack of success in handling voting machines" since it was created.

He said he had opposed taking them away from the secretary of state and had been "fully justified" since. "He was doing a good job when they were taken away from him," Senator Ainsworth said.

SHREVEPORTERS SIGN PETITION

Times Picayune

15 Support Stand on Anti-Mixing Laws

New Orleans, La.

(Special to The Times-Picayune)

SHREVEPORT, La.—The signatures of 15 Shreveporters including 11 members of the faculty of Centenary college or their wives, appear on a Civil Liberties Union petition opposing the state's program to maintain segregation in the public schools.

14 Ed

The petition, with a total of 600 names, including 59 members of the faculty of Louisiana State university, was presented to Sen. W. M. Rainach in Baton Rouge Monday night.

Shreveporters who confirmed they signed the petition included Mrs. Dorothea B. Clark, wife of Dr. Edward M. Clark, head of the English department at Centenary; Mrs. Meg S. Teagarden, wife of Jack E. Teagarden, professor of English; Hoyt N. Duggan, a Centenary student; Woodrow W. Pate, head of the department of commerce and economics; John R. Willingham, and his wife, Yvonne B. Willingham, professor of English; Jacob Heller, retired, Morris Soloman, a tailor, and his wife, Mrs. Jeannette Solomon, and Dr. E. L. Ford, head of the foreign language department.

Wed. 6-11-58

Other members of the Centenary faculty whose names appeared on the petition included Dr. Lee Morgan, assistant professor of English; Dr. Edward Murray Clark, head of the English department; Jack E. Teagarden, professor of English; Bryant Davidson, and Leslie Burris, members of the faculty. P. 47

Mrs. Solomon said she signed the petition "under a wrong assumption." She said, "I would rather close the schools than have the darkies and whites going to school together."

Mrs. Dorothea B. Clark said, "I don't know exactly what I did sign."

SCHOOL MIXING ORDERED IN N.O.

Final Decree by Wright to Be Appealed

Times

Picayune

A final decree ordering the desegregation of Orleans parish public schools was issued Thursday by federal Judge J. Skelly Wright.

The decree, or permanent injunction, ordered desegregation as soon as necessary arrangements can be made.

Gerard Rault, special attorney for the Orleans parish school board, said that the decree will be appealed to the United States fifth circuit court of appeals and then, if necessary to the United States Supreme Court.

New Orleans, La.

The text of Judge Wright's decree follows:

"This cause came on for hearing on a motion of the plaintiffs for a judgment on the face of the pleadings, and the court, having granted the motion, now enters the following final decree in this case:

Fri. 10-24-58

'It is ordered, adjudged and decreed that the defendant Orleans parish school board, a corporation, and its agents, its servants, its employes, their successors in office, and those in concert with them who shall receive notice of this order, be and they are hereby restrained and enjoined from requiring and permitting segregation of the races in any school under their supervision, from and after such time as may be necessary to make arrangements for admision of children to such schools on a racially nondiscriminatory basis with all deliberate speed as required by the decision of the supreme court in Brown vs. Board of Education of Topeka, 349 US 294."

P. 50

The case, in which there have been numerous hearings in the federal district court, has already been to the supreme court twice, each time resulting in a defeat for the school board.

All of these appeals, however, have been based on a temporary injunction previously issued by Judge Wright. The effect of Thursday's decree is that the time for an appeal or the permanent injunction begins to run.

School board attorneys now have 30 days in which to file a notice of appeal to the fifth circuit and another 40 days in which to get the record to that court. The federal rules provide that an additional 50-day delay may be granted for the filing of the record.

Court attaches said that it probably will be late 1959 or early 1960 before the case is heard by the court of appeals.

Louisiana Schools, Colleges Appeal Court Orders For Integration

Advertiser 14d(1)

Montgomery Ala.

8-1-B

Thurs 1-16-58

NEW ORLEANS, Jan. 15 (AP)—The city of New Orleans, Louisiana State University and the state Board of Education today asked the U.S. Fifth Circuit Court of Appeals to reverse district court decisions setting aside state laws banning school segregation.

The Orleans Parish School Board asked the appeals court to reverse a federal court directing that separation of the races be ended in city schools.

The court combined the other two cases, involving LSU and three state colleges, for the hearing because of the similarity of the legal questions involved. Besides McNeese and Southwestern Louisiana Institute.

8-1-B

The city based its appeal mainly on an argument that $1,000 bond ordered put up for Benjamin Bush, who filed the suit attacking the city's segregation system, was not placed for 16 months.

First Asst. Atty. Ben. George Ponder centered the college appeal on a contention that lower court decisions should have been made by a three-judge panel and not by one federal judge.

Attorney Gerard A. Rault, representing the Orleans Parish School Board, said he found at least four instances in which the injunction collapsed because of the failure to post bond.

"Our contention," said Rault "is that a bond must be posted if the court requires it. And until the posting of the bond, the injunction is invalid."

14d(1)

Thurgood Marshall of New York, chief lawyer for the National Assn. for the Advancement of Colored People, said the bond requirement was only a legal technicality to protect the defendant, the school board, from any damage.

"injunction did not bring about any coercive action. Nor did it contain any immediate compulsory features. The validity of the injunction was being litigated during the 16-month period and there was no reason to post bond until the validity of the injunction had been established by the court," Marshall argued.

He said there is a law that says failure to post bond can be cured by the posting of the bond.

Involved in the state case were certain college entrance requirements which, it is contended, are aimed at preventing Negroes from gaining admission.

State attorneys contended that many white students failed to meet the same requirements which prevented Negroes from being admitted.

BOARD TO FIGHT SCHOOL RULING

Will Appeal or Ask Rehearing, Says Wagner

14d(1)

Emile A. Wagner Jr., president of the Orleans parish school board, said Friday that "either a rehearing or appeal to the supreme court of the United States" will be asked in the segregation case ruled on Thursday by the United States fifth circuit court of appeals.

Picayune

8-4

"We feel that ultimately the whole matter will be righted," said Wagner. "The board is dedicated to the maintenance of its policy of segregation. Whatever we do will be done timely. At this time it would not serve the good of either race to integrate."

'Go Back to Court'

Sat 2-1-58

Wagner said by rehearing, he meant that "you go back to the court and say 'look you made a mistake, how about changing this.' "

The court of appeals upheld for the second time an injunction issued by the district court restraining the school board from continuing segregation.

New Orleans La.

The ground for its second appearance before the court of appeals was that the injunction issued by Judge J. Skelly Wright was void because attorneys for the National Association for the Advancement of Colored People failed to post a $1000 bond which was required under federal court rules.

The court of appeals previously had upheld the validity of the injunction and the U.S. supreme court has refused to review the case.

Wagner 'Appalled'

Wagner said he was "appalled that the fifth circuit court should hold against us. Since they never put the bond up, we feel that no injunction was ever issued."

The court of appeals opinion said: "We have heretofore affirmed the order of the trial court. Thus no asserted defection in that order can now be considered by us."

Failure to post the bond, the opinion held, could not have hurt the board.

Seek Further Delay Of School Integration Here

Weekly New Orleans La.

Sat. 3-15-58

8-7

New Orleans - (ANP) - An attempt to further delay integration in New Orleans public schools and in Louisiana State University's undergraduate school was seen in the petition by these bodies seeking a rehearing in the Fifth Circuit court of appeals which last week turned down an appeal from a decision of the fifth district federal court that these schools must integrate forthwith.

14d(1)

The appeals court heard the case with three judges sitting on bench. Attorneys for the school board claim that Judge J. Skelly Wright failed to order the Negro palintifs to post bond of $1,000 in the case. The appeals ccourt said that the technicality was not germane to the question involved.

It is the concensus of opinion that the school authorities recognize the fact that integration must be accomplished at some future time and delay is what is being sought at this time in vain hopes that something might happen.

The case can not go back to the supreme court. This court has already sent down the edict that segregation in schools is unconstitutional.

In the meantime all schools in New Orleans are segregated and nothing in the least has been done to remove the segregation bars. Schools are still being constructed and labeled "Negro" or "White."

Recently this year a school for the brighter children has been opened but no provisions have been made for the Negro child of brighter mind. This just might be the area which will be the battle ground for real entry of Negroes into the white schools.

'You must desegregate with all deliberate speed'

14d(1)

NEW ORLEANS, La. — "There comes a time, if there are no disputable facts, that this must come to an end."

Afro American

8-19

With that statement Federal District Judge J. Skelly Wright ordered the Orleans Parish School Board last Wednesday to desergregate its schools "with all deliberate speed."

Jan 4-?-58

* * *

14d(1)

THE JUDGE had been asked by NAACP attorney A. P. Tureaud to make permanent an injunction against segregation in this city's public schools.

Gerard M. Rault, school board attorney, argued against Mr. Tureaud's motion. He contended there were still a number of issues to be decided in the matter.

Baltimore

Giving Rault 10 days to file briefs, Judge Wright told the school board lawyer that if there were no serious issues to be decided, there should be no delaying tactics.

Md.

State Severely Criticized

Louisiana Would Deny Lunch Funds To Integrated Schools

By LOUIS LAUTIER

Informer P. 8

Oct 3-13-58

Houston, Tex.

WASHINGTON, D C (NNPA) — The State of Louisiana was severely criticized Wednesday for a law that would deny school lunch funds to any public school that is racially mixed.

The criticism was made by Senator Gordon Allot, Republican, of Colorado, after Clarence Mitchell, head of the NAACP's Washington Bureau, summarized various laws passed by southern states to keep their public schools segregated, despite the Supreme Court decision outlawing racial segregation in public education.

The Louisiana law provides for cutting off state funds stopping free text books, and taking away school lunch funds from any public school that mixes colored and white pupils in the same classroom.

The law also provides criminal penalties of 90 days to six months in jail and fines of $500 to $1000.

Mr Mitchell said Louisiana has received Federal funds of $6, 167,081 in a five-year period in grants to aid areas where there has been an influx of school-age children due to Federal activities.

"The people who are willing to snatch sandwiches and milk out of the lunch boxes of undernourished children just because their local school officials accept the requirements of the United States Constitution have no qualms of conscience about accepting a cool $5,000,000 that the same Federal Constitution makes it possible for Louisiana to receive from the national Treasury," Mr Mitchell said.

Mr Mitchell was testifying in support of an amendment which would deny Federal funds for education unless state officials pledge that it will be spent in conformity with the Supreme Court decision against segregated schools.

Commenting on Mr Mitchell's statement about the Louisiana law, Senator Allot said he thought that was "one of the most gross examples of discrimination in the world when you consider that in those areas this free lunch program enables children to get the only decent meal they get during the day.

"I cannot understand how anyone with any conception of humanity in his heart can advocate that position.

"We are screaming about our lack of scientists and lack of mathematicians, yet, actually, we have forbidden a great portion of our population to become scientists and mathematicians because of the color of their skins," Senator Allott continued.

"Here is great strength that we can use in this country if we put our prejudices aside."

The Colorado Senator told Mr Mitchell that "the examples contained in your statement, in my opinion, more than justtify all of those who fought so hard no, only for the civil rights bill but particularly to retain Part III in the Senate last year, which we were assured was not needed."

Senator Allott who was one of the holdouts for Port III said he would make the same kind of fight over again "today."

"I want the record to show that you are not just repeating words," Mitchell said, adding:

"You certainly waged a strong personal fight on the floor of the Senate and put in many late hours during the last session for this vital part of the (civil rights) bill.

"For years, as we have come up here trying to get amendments to these school construction bills and other programs, we have been shunted aside with the statement that this was something that ought to be taken up on its own merits.

"The House overwhelmingly supported it (Part III). A great many Senators supported it. We lost not because of the power of southern states but because some of our people in northern states felt that there ought to be another opportunity for people in the South to adjust themselves to the Supreme Court decision.

"When that opportunity was provided, (Gov Orval) Faubus (of Arkansas) called out the militia for the purpose of keeping children from going to school.

"We saw Virginia take an utterly incomprehensible and utterly irresponsible approach. In Virginia there is complete defiance."

$42 MILLION SCHOOL PROGRAM OUTLINED

Bond Issues for 5-Year Expansion Mapped

Picayune

P. 1

Thur. 3-27-58

New Orleans, La.

A whopping $42,500,000 in bond issues for new schools and a drastically expanded operating budget will be required in the next five years if the city's public school system is to keep pace with skyrocketing attendance figures.

With its present revenue sources, the system would fall more than $8.7 million short of carrying out the proposed programs. A major portion, about $8.5 million, of the deficit would effect the operating budget alone.

These facts were disclosed in reports which will be submitted by the system's administrative staff to the Orleans parish school board Monday at 8 p. m. at 703 Carondelet.

TWO REPORTS DUE

The board will receive two reports, one on estimates of its building fund and operating budgets and another on a program of personnel needs for the period 1958-63.

These are some major points brought out in the reports:

To meet the needs of an anticipated enrollment of 100,000 pupils by 1963, the system's instructional staff should be increased from its present 3009 teachers to [illegible]

The annual cost of paying this corps of teachers will jump from $14,220,261 now to $21,268,000 in 1963.

The system will pay its 3984 employes a total of $17,129,894 in salaries this year. In 1963 it should be paying a total of 5212 employes $25,429,984.

30 NEW SCHOOLS

The system plans to open 30 new schools during the five-year period. These, added to normal enrollment increases, account for the need for more teachers.

Here is a year-by-year breakdown of the $42,500,000 in bond issues which school officials said will be required for school construction:

1958-59—$5,500,000, of which $3 million were approved by voters in Jan. 1957 and are scheduled to be sold this year.

1959-60—$11 million.
1960-61—$9 million.
1961-62—$10 million.
1962-63—$7 million.

Here is the way the $42,500,000 would be spent:

New Schools and Sites—$24,700,300.

Additions and Sites—$3,203,400.

School Replacements and Sites—$5,504,600.

Renovations—$5,230,000.

Gymnasia and Sites—$2,575,000.

Sites for Future Schools—$1,250,000.

School officials anticipate that the system's operating budget needs will jump from $26,598,149 this year to $32,400,667 in 1963.

And, they said, the combined operating budget and building fund deficits for each of the five years will total $1,491,376 this year; $1,054,281 in 1959-60; $1,667,709 in 1960-61; $2,012,711 in 1961-62, and $2,515,287 in 1962-63.

'TOTAL NEEDED'

"These are the total additional funds needed for operations and building," the officials said.

The system's construction financing picture alone is far from satisfactory.

Its two-mill building fund budget, used to finance bond issues for construction, will not be sufficient to support bonds which must be sold to carry out the proposed construction program.

Bonds which could be issued from available revenues of the building fund budget. including 1½ mills additional tax which the school board will levy in 1960, would total only $32,500,000 during the five-year period.

"Only insignificant balances would remain in the building fund budget at the end of each fiscal year if this program of financing were followed," the report said.

14a01

Additional revenue sources to finance the building program or the program itself must be readjusted to fit available finances, officials said.

The reports gave no suggestions to the board for possible ways of gaining additional revenues with which to carry out the building and operating programs.

Such suggestions, an offficial said, may be made in a separate report to the board in the near future.

NAACP Seeks New Orleans School Writ

Advertiser

Montgomery, Ala.

Thur. 4-3-58

P. 2D

NEW ORLEANS (AP)—An attorney representing a group of Negroes asked United States District Court Wednesday to make permanent an injunction against segregation in New Orleans public schools.

A. P. Tureaud, Louisiana counsel for the National Assn., for the Advancement of Colored People, filed the request before District Court Judge J. Skelly Wright who ordered the Orleans Parish School Board to desegregate "with all deliberate speed."

Judge Wright told school board attorney Gerard M. Rault, "There comes a time, if there are no disputable facts, that this must come to an end."

Rault, opposing Tureaud's motion, argued against the permanent injunction, saying there were still a number of issues to be argued and decided.

Rault told the court that he should have the right to cross examine witnesses before there is a final judgment in the matter.

Judge Wright said if there are no serious issues to be decided, there should be no delaying tactics.

The court gave Rault 10 days in which to file briefs.

SEGREGATION DEALT BLOW IN LOUISIANA

Commercial Appeal — P.8

Federal Court Upholds Order To Integrate Schools

Memphis Tenn.

NEW ORLEANS, Feb. 13. — (AP)—The United States Fifth Circuit Court of Appeals Thursday dealt three legal blows to state and city officials trying to keep racial segregation in Louisiana schools, colleges and parks.

Fri. 2-14-58

In separate decisions, the court:

For the second time upheld a lower court decision ordering New Orleans to desegregate its public schools.

Turned down the appeal of the Louisiana State University Board of Supervisors and the Louisiana State Board of Education. The school and the board want to keep Negro students from entering LSU, Southeastern, Southwestern and McNeese State College undergraduate schools on a permanent basis.

Agreed with a lower court decision that forbids the New Orleans City Park Improvement Association to keep Negroes away from park facilities.

Louisiana Criticized For Law Cutting Off School Lunch Funds

14d(1) La.

By LOUIS LAUTIER

WASHINGTON, D. C. — (NNPA) — The State of Lousiana was severely criticized Wednesday for a law that would deny school lunch funds to any public school that is racially mixed.

World P.1

Fri 3-7-58

Atlanta, Ga.

The criticism was made by Senator Gordon Allot, Republican of Colorado, after Clarence Mitchell, head of the NAACP's Washington Bureau, summarized various laws passed by southern states to keep their public schools segregated, despite the Supreme Court decision outlawing racial segregation in public education.

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Mr. Mitchell said Louisiana had received Federal funds of $6,167,081 in a five-year period in grants to aid areas where there has been an influx of school-age children due to Federal activities.

NO CONSCIENCE QUALMS

"The people who are willing to snatch sandwiches and milk out of the lunch boxes of undernourished children just because their local school officials accept the requirements of the United States Constitution have no qualms of conscience about accepting a cool $5,000,000 that the same Federal Constitution makes it possible for Louisiana to receive from the national Treasury," Mr. Mitchell said.

Mr. Mitchell was testifying in support of an amendment which would deny Federal funds for education unless state officials pledge that it will be spent in conformity with the Supreme Court decision against segregated schools.

Commenting on Mr. Mitchell's statement about the Louisiana law, Senator Allot said he thought that was "one of the most gross examples of discrimination in the world when you consider that in those areas this free lunch program enables children to get the only decent meal they get during the day.

"I cannot understand how anyone with any conception of humanity in his heart can advocate that position.

"We are screaming about our lack of scientists and lack of mathematicians, yet, actually, we have forbidden a great portion of our population to become scientists and mathematicians because of the color of their skins," Senator Allott continued.

"Here is great strength that we can use in this country if we put our prejudice aside."

PUBLIC SCHOOLS TO HAVE 100,000 ENROLLED BY '63

Parish Board Maps Program to Meet Need

New Orleans public school officials predict that attendance figures will top the 100,000 mark in five years.

This was learned from a proposed building program report released Monday by the Orleans parish school board's department of research, census and planning.

La.

14d(1)

Dr. James F. Redmond, school superintendent, was to present the report to the board Monday night.

Picayune P.1

"Total predicted enrollment is expected to increase from the present figure of 82,644 to that of 100,[illegible]16 for the 1963-64 session," the report states.

To accommodate the anticipated increase the school board's planning people have proposed a school construction program calling for construction of 20 new schools by the 1962-63 school year.

Tue 3-4-58

ADDITIONS PROPOSED

It is further proposed that seven additions to existing schools be made in the same period and that seven other schools be replaced.

New Orleans La.

It is also suggested that a new high school be constructed in or near City Park; it would accommodate 1500 students.

"It should be noted, relative to the acquisition of a site for this (high) school," the report says, "that approximately 120 acres of '16th section' school land is located in City Park near the intersection of Harrison ave. and Marconi dr.

GYMNASIA PLANNED

"Although minutes of the school board indicate preliminary discussions were held with regard to the use of this property by the City Park Improvement Association at the time the football stadium was constructed, transfer of this property was not consummated."

Expansion of physical education facilities calls for the construction of 14 gymnasia by the 1962-63 school year, according to the report.

Since the end of World War II, the report says, public school enrollment in New Orleans has increased 66 per cent, an increase of some 33,000 children. Presently, white students and Negro students are about equally divided.

SUBDIVISION EFFECT

And with respect to future enrollment, the report notes that this will be "greatly affected by the number of new subdivisions which will be located within the city limits." School officials show in their report that they are keeping a sharp eye on such areas as Algiers and East Gentilly.

Picayune P.14

"The greatest increase is anticipated in the enrollment of Negro children," the report says. "The highest enrollment predicted for Negro children during this period is 57,933 for the session 1963-64. It is expected that Negro enrollment will continue to rise even higher."

Tue 3-4-58

New Orleans La.

The report also states that 18 new schools have been completed and occupied since September, 1951, and that 92 classrooms have been added to other schools.

Under construction at the present time are 10 elementary schools, four secondary schools and one elementary school addition.

CITY INCREASE SEEN

The report is based in part on population figures which the census bureau set at 617,890 on July 1, 1956. "Conservative estimates indicate that the population of the city of New Orleans will continue to increase to 632,000 by 1960 and to 793,000 by 1970," the report says.

The report shows overcrowded conditions. Figures based on enrollment last October show that 631 of 1745 elementary classes were operating with more than the recommended maximum of 35 children. This is more than one-third of all the elementary classes.

14d(1)

In secondary schools, 24.8 per cent were operating with more than the recommended maximum of 30 students per section.

La.

"The number of over-sized classes would have been even greater if it were not for the fact that many of our public schools were forced to operate half-day sessions," the report observes.

199 PLATOON CLASSES

At the end of last January 199 classes in 13 elementary schools were operating on a "platoon" or half-day basis, involving some 7554 students.

The total number of New Orleans public-school children attending platoon-system classes came to 9700.

One school, the Moton Elementary school for Negro children, is operating at 213 per cent of its capacity, according to the report.

The Claiborne Elementary school in Gentilly Woods for white children is operating at 110.5 per cent of its capacity.

NEEDS ARE CITED

This is what the reports says will be needed in the way of new school construction:

Lakeview — An elementary school for 525 to serve the Lakeshore and Lake Vista subdivisions and the northern part of Lakeview; and a junior high school.

Greater Gentilly — A junior high school to relieve overcrowding at the Medard H. Nelson school and at the Edward Henry Phillips school; a senior high school in the City Park area.

Broadmoor-Carrollton — Replacement of Danneel No. 2 Elementary and a junior high school in the Hoffman attendance district.

Mid-City — An elementary school for 700 to replace the Abijah Fish and McDonogh No. 30 schools; a new elementary school to replace McDonogh No. 37 and Albert Wicker Elementary; a new junior high school for 1000, and a senior high school for 1250.

Downtown — an elementary school of 15 rooms to serve the Agriculture st. dump area when it is converted to a reclamation area;

University-Carrollton Replacement of McDonogh No. 24 Elementary school.

Uptown — An elementary school for children living in the vicinity of Baptist hospital.

Lafayette (that area bounded by Louisiana ave., S. Claiborne, the approach to the new Mississippi river bridge and the river) —A 27-room elementary school in the vicinity of Ricard school and the Magnolia housing project; another elementary school for a proposed housing project near Union Passenger Terminal; a new elementary school in the vicinity of the St. Thomas st. housing project.

Central Business District—No new construction.

Industrial Canal East—A new junior high school to serve children from the Lawless and Macarty Elementary school districts.

East Lakefront — Five additional elementary schools to serve the area north of the new US 11 hwy. expressway between Downman and Paris rd.; another elementary school for those living north of Morrison blvd.; and two junior high schools.

East Gentilly — Elementary schools for sites in Dona Villa and Sherwood Forest subdivisions; three more elementary schools for those between Dwyer rd. and the US 11 expressway; a junior-senior high school and later another junior high school.

Upper Algiers — An elementary school below Woodland hwy.; and a 1250-capacity junior high school.

Aurora — An elementary school in Aurora East.

Elmwood — An elementary school for the Elmwood subdivision.

West New Orleans—Reserve a site for a junior high school.

The proposed school construction program calls for construction of two elementary schools and one junior high school in 1958-59; three elementary schools, two junior high schools and one junior-senior high school in 1959-60; two elementary schools and a junior high in 1960-61; two elementary schools and two senior high schools in 1961-62; and four elementary schools in 1962-63.

La. Branded 'Milk, Sandwich Snatcher'

Afro-American
Baltimore, Md.
Sat. 3-15-57 P. 5

By LOUIS LAUTIER

WASHINGTON (NNPA)—The State of Louisiana was severely criticized Wednesday for a law that would deny school lunch funds to any public school that is racially mixed.

1440

The criticism was made by Sen. Gordon Allot (Rep. Colo), after Clarence Mitchell, head of the NAACP's Washington bureau, summarized various laws passed by southern states to keep their public schools segregated, despite the Supreme Court decision outlawing racial segregation in public education.

The Louisiana law provides for cutting off state funds, stopping free textbooks and taking away school lunch funds from any public school that [illegible]s colored and white pupils [illegible] same classroom.

The law also provides criminal penalties of 90 days to six months in jail and fined of $500 to $1,000.

* * *

MR. MITCHELL said Louisiana had received Federal funds of $6,167,081 in a five-year period in grants to aid areas where there has been an influx of school-age children due to Federal activities.

"The people who are willing to snatch sandwiches and milk out of the lunch boxes of undernourished children just because their local school officials accept the requirements of the U.S. Constitution have no qualms of conscience about accepting a cool $5,000,000 that the same Federal Constitution makes it possible for Louisiana to receive from the national treasury," Mr. Mitchell said.

Mr. Mitchell was testifying in support of an amendment which would deny Federal funds for education unless state officials pledge that they will be spent in conformity with the Supreme Court decision against segregated schools.

* * *

COMMENTING ON Mr. Mitchell's statement about the Louisiana law, Senator Allot said he thought that was "one of the most gross examples of discrimination in the world when you consider that in those areas this free lunch program enables children to get the only decent meal they get during the day.

I cannot understand how anyone with any conception of humanity in his heart can advocate that position.

"We are screaming about our lack of scientists and lack of mathematicians, yet, actually, we have forbidden a great portion of our population to become scientists and mathematicians because of the color of their skins," Senator Abbott said adding:

"Here is great strength that we can use in this country if we put our prejudices aside."

The Colorado senator told Mr. Mitchell that "the examples contained in your statement, in my opinion, more than justify all of those who fought so hard not only for the civil rights bill but particularly to Part 3 in the Senate last year, which we were assured was not needed."

Senator Allott, who was one of the holdouts for Part 3 said he would make the same kind of fight over again "today."

* * *

"I WANT the record to show that you are not just repeating words," Mr. Mitchell said, adding:

"You certainly waged a strong personal fight on the floor of the Senate and put in many late hours during the last session for this vital part of the (civil rights) bill.

"For years, as we have come up here trying to get amendments to these school construction bills and other programs, we have been shunted aside with the statement that this was something that ought to be taken up on its own merits.

"This House overwhelmingly supported it (Part 3). A great many senators supported it. We lost not because of the power of southern states, but because some of our people in northern states felt that there ought to be another opportunity for people in the South to adjust themselves to the Supreme Court decision.

* * *

"WHEN THAT opportunity was provided (Gov. Orval) Faubus (of Arkansas) called out the militia for the purpose of keeping children from going to school.

"We saw Virginia take an utterly incomprehensible and utterly irresponsible approach. In Virginia there is complete defiance."

Mr. Mitchell began his testimony by referring to a press dispatch from Lakeland, Ga. It stated that Mrs. A. B. Baskin, 64-year-old white teacher, was accused of jeopardizing state aid for Lanier County schools because she let a white pupil ride home in a school bus for colored children.

John Crum, a school board member, was quoted as saying, "After all, she desegregated school buses in this county . . . if the point were pushed Gov. Marvin Griffin would cut off our money fast."

Unfortunately, the governor of Georgia has both the power and the inclination to do just what Mr. Crum said," Mr. Mitchell asserted, adding:

* * *

EQUALLY INCREDIBLE is the fact that the political leaders of Alabama, Arkansas, Florida, Louisiana, Mississippi, South Carolina and Virginia have the same power and the same intentions as the governor of Georgia.

The question arises: "Can the officials of these states be trusted to handle any kind of Federal assistance for the education of all of our citizens without firm antisegregation safeguards? The answer to that is No!"

SCHOOLS PROBE ASKED BY GROUP

1440

Americanism Talks Are Heard in Shreveport

SHREVEPORT, La. (AP)—The sixth regional Americanism conference of the American Legion Sunday called for an investigation of the public school curriculum and textbooks.

Picayune
P. 53

The conference, in a resolution approved at the final session of a three-day meeting, urged the national body to seek to have banned any subversive material uncovered as the result of such a probe.

Mon. 3-31-58

Another resolution advocated that the United States halt all foreign aid to Communist nations and all trade with them.

Hungarian Revolt

New Orleans, La.

The 125 representatives of Legion Americanism committees in Texas, Louisiana, Arkansas and Mississippi attended the meeting.

Earlier, Crete Anderson of Canton, Ohio, chairman of the national Americanism commission's committee on immigration, said his group favored controlled selective and restrictive immigration.

He said he did not favor granting citizenship to Hungarian revolt refugees until they were properly screened.

Extols Americanism

The United States should not establish immigration policies based on "misguided humanitarian ideas," he said.

Gen. Haydon Boatner, provost marshal general of the Army, Saturday night extolled Americanism as the cement that would bind together the nation's discordant elements.

"We have great economic, educational and social strains and turmoil in the country today," the general told a banquet meeting. "We need some cement to hold these parts together. Americanism is the cement that will bring these discordant elements together. Thit is why the Legion's Americanism program must go on."

The life-size marble statue of Abraham Lincoln in the Capitol at Washington is the creation of a then teen-age girl, Vinnie Ream. Congress was so pleased with the work that it voted her an additional $5000 to the $10,000 they paid her originally. The statue was unveiled in 1871.

LOUISIANA ADDS 524 NEW LAWS (SEE OVER)

14d(1) 1958

LOUISIANA

Move To Close La. Schools To Stave Off Integration

Chicago Defender
Chicago Ill.

BATON ROUGE — In an effort to recuperate lost ground from the federal courts decision against segregation last Saturday, the Louisiana committee on segregation has announced it will close public schools, including Negro, and call for stricter enforcement of voter registration laws to halt racial integration.

Sat. 6-7-58
P. 1

The committee plans to base its action on the Virginia law that will soon be tested in Arlington county, and the Alabama pupil assignment law that was upheld recently by a three judge federal court.

Going one step further, Senator W. M. Rainach, chairman of the committee, said a new idea in the proposals provide for registrars of voters and school officials to receive full salary payments if sent to jail in defiance of federal court orders.

"We are the first state to provide for such payment," said the senator, chairman of the Citizens Councils of America.

The new bill along with others will be introduced in the house tonight when the legislature returns to work.

The senator added, "Our school closing law places the power to close the schools in the hands of the governor. It also provides for reopening the schools if the threat of integration ends.

"The Virginia plan would close down white schools in Arlington but leave Negro schools open" Rainach said.

"Under our plan, the governor also has the power to shut down Negro schools."

La. School Closing Bills Are Approved

News & Courier P. 8B

Plan Is Adapted From Virginia, Alabama, N. C. Segregation Laws

BATON ROUGE, La., (AP) — A House legislative committee Monday approved eight bills authorizing the closing of any public school ordered to integrate.

June 10-58
Charleston S.C.

The House Education Committee then quickly drafted a resolution calling for an investigation of 59 Louisiana State University teachers who signed a petition opposing the measures.

Officials of the Louisiana Teachers Assn. and segregation forces joined forces in the committee hearing by saying Louisiana could avoid another Little Rock by adopting the bills.

The bills, adopted from Virginia, Alabama and North Carolina laws, would allow the governor to close the schools and permit their use by private, nonsectarian agencies. Parents could organize educational cooperatives to continue their children's instruction. One measure would ban any funds for racially mixed schools.

L. L. Fulmer, president of the LTA, representing more than 26,000 teachers, said teachers want segregation retained for the welfare of their school children.

"Several Little Rock teachers testified in court that teaching and learning deteriorated in Central High School to the point where it presented an almost impossible situation," Fulmer said.

"The federal government spent five million dollars enforcing attendance of eight Negro children in Little Rock. In my humble opinion that same sort of situation would exist in any Louisiana school in which attempts are made to enforce integration."

The petition opposing the eight bills bore 600 names, including the 59 LSU teachers. Two LSU faculty members, Prof. Walter McNeir and Prof. Charles Reynard appeared before the committee.

Each was asked if he favored integration. McNeir testified he was an advocate of integration. Reynard said he was "for the law of the land."

LAWS DRAFTED ON SEGREGATION

Times Picayune

Closing Schools Among La. Legal Barriers

New Orleans States

BATON ROUGE, La. (AP) — Louisiana, with its previous efforts shattered by federal courts, Sunday planned a third set of legal barriers against racial integration.

The legislative "watch dog" committee on segregation announced a program designed to shut down public schools order to desegregate and to tighten enforcement of voter registration laws.

P. 12

Chairman W. M. Rainach said the school closing plan relied heavily on the Virginia law, soon to be tested in Arlington county, and Alabama's pupil assignment law, upheld recently by a three-judge federal court.

DRAFTED BY SHAW

June 6-1-58

Proposals to abolish public schools were drafted by segregation committee counsel W. M Shaw with the aid of the state department of education and Supt. Shelby Jackson.

The plan has the endorsement of the United School Committee, made up of major education groups, and the state board of education. Many school leaders were consulted in preparing the program.

The school plan consists of a constitutional amendment and six legislative acts.

The constitutional amendment authorizes the Legislature to provide financial assistance to students attending private, nonsectarian elementary or secondary schools.

The measure will be subject to popular vote next fall if it passes the Legislature.

CLOSURE AUTHORIZED

The key legislative act authorizes the governor to close any "racially mixed public school or any public school subject to a court order requiring it to admit students of both the Negro and white races by a certain day."

The governor also would be authorized to close any other school in the system "if in his opinion operation of this school might cause friction or disorder among school children or result in a breach of peace. . ."

Rainach explained this primarily was aimed at closing Negro schools along with white schools.

"Any school that cannot be reopened by an order of the governor within a reasonable time or at the conclusion of the school term shall be deemed indefinitely closed," the bill says

SALE PROVIDED

The bill provides that the parish or city school board may sell, lease or otherwise dispose of for cash or on terms of credit school buildings and their equipment. The sale price must be equal to replacement cost.

Teacher salaries, retirement, tenure, sabbatical leave and sick leave shall be preserved in event of the school closing.

The measure also directs the state board of education to count the school children as if they still were in school for the purpose of distributing school funds to the parish or city.

Other legislative acts provide:

1. For establishing educational co-operatives composed of persons who are parents, tutors or guardians of children attending the closed school. A parent must drop out of the co-operative within two years after his child graduates.

REA IS MODEL

"This is designed to keep control of the school continuously in the hands of parents of children in attendance at the school," explained Rainach. "It is modeled after the rural electrification assn. law establishing their co-ops."

2. For payment of educational expense grants to a child "for whom no public school is available or who is assigned to a public school attended by a child of another race against the wishes of his parents. . . ."

The grants shall amount to the average cost per pupil of the public school attended by the child in the previous year.

3. No parish or city school board shall adopt a budget providing funds for racially mixed public schools. This cuts off local funds to integrated schools. A 1954 law provided no state funds shall go to an integrated school.

PAY CONTINUED

4. A school official, employ or school board member "committing any intentional act . . . that shall directly order, aid or abet integration or mixing of the races in any public school" shall be guilty of malfeasance in office.

5. For continuing pay of school officials summoned from their duties by federal officials or placed in jail for defying federal courts.

Times Picayune

Three of the bills affect registrars of voters.

P. 12

They provide for payments to registrars whose duties are interrupted by federal authorities, designated the attorney general as legal counsel for registrars facing federal challenge and provide for removal of a registrar guilty of malfeasance in office.

June 6-1-58

"The law is not clear now on who should provide legal aid to a registrar," Rainach said. "The district attorney probably would have the job but it isn't even clear on that."

New Orleans States

At present a registrar may be removed at will by the state board of registration, composed of the governor, lieutenant governor and house speaker.

Rainach said the proposed law would make it possible to remove a registrar who violated Louisiana's registration laws even if the governor refused to act.

"This will tighten up enforcement," he said.

"The final measure in the segregation committee's program calls for separate sanitary facilities in public buildings.

A 1956 act required industrial facilities to provide separate restrooms and drinking fountains for Negroes and whites but at present there is no law on public buildings.

CLERICS OPPOSE SCHOOL BILLS

Times Picayune
New Orleans, La.

N.O. Delegation Appears at Senate Hearing

June 6-19-58
P. 18

(Times-Picayune Staff Correspondent)

BATON ROUGE, La.—Five New Orleans ministers and two Baton Rouge rabbis appeared in opposition Wednesday to six segregation bills designed to block integration of public schools.

They appeared at a meeting of the Senate education committee, which was considering the measures, previously passed in the House of representatives with little opposition.

The committee went on to endorse the six segregation bills, with Sen. J. D. Deblieux alone in dissenting on two of them. Absent were Sens. B. B. Rayburn of Bogalusa and Lawrence Eustis of New Orleans.

MODERATION URGED

The ministers and rabbis were joined in their opposition by two officers of the Louisiana branch of the Civil Liberties union, and by an instructor from the New Orleans Baptist Theological seminary.

In general all urged a program of "moderation" on segregation. They urged a program of gradual integration on the basis of pupil assignment, whereby only qualified Negroes would go to integrated schools.

Here were the New Orleans ministers:

The Rev. Charles Munden 111, pastor of Metairie Methodist church; the Rev. Myron Madden, St. Charles ave. Baptist church; the Rev. Spencer Wren, St. Luke's Methodist church; the Rev. Donald Grunewald, St. Paul Evangelical church; and the Rev. Louis Everline, United Church of Christ.

UNION IS REPRESENTED

Representing the controversial Civil Liberties Union were George Dreyfous, New Orleans attorney, and William L. Kolb, professor of sociology at Tulane university. The two are respectively president and secretary of the union.

Also attending was the Rev. J. B. McMinn, professor of philosophy at the New Orleans Baptist Theological Seminary. The two Baton Rouge rabbis were Rabbi Walter G. Peiser, of Benai-Israel congregation, and Rabbi Marion Reznikoff, of the Little synagogue.

Obviously .somewhat .chagrined by the opposition to their measures, segregation leaders counter-attacked by charging that the Civil Liberties Union instigated the opposition.

W. M. Shaw, special attorney for the legislative segregation committee, charged that the American Civil Leberties Union had a long history of Communist affilitation.

Rabbi Peiser said charges of subversion were the favorite weapons of such totalitarian states as Russia and Nazi Germany, and was used in those nations as a means to discrediting opposition.

CLOSE SCHOOLS

The proposed bills would empower the governor to close integrated schools, which could be turned over to private cooperatives, comprised of parents of children from the integrated schools, who could set-up their own schools.

The segregation measures would further provide that educational expense grants could be given to students—upon application of parents—through the local school board for educational expenses.

Segregation Law Rebuffed By Judge

Appeal

Memphis Tenn.

Authority To Reclassify Schools Overruled

Thurs. 7-3-58

P. 24

1420

NEW ORLEANS, July 2. — (AP)— United States District Judge J. Skelly Wright Wednesday struck down a Louisiana segregation law that gave a special legislative committee authority to reclassify any public school exclusively white or Negro.

Judge Wright said any law designed to get around the United States Supreme Court's ruling outlawing segregation is unconstitutional on its face.

The Orleans Parish School Board, ordered previously to integrate public schools, had sought to have the order dismissed on the grounds the matter of school classification was taken out of its hands by the 1956 law.

The law authorizes a committee made up of two members from the Senate and two from the House to serve as a school classification committee.

The committee would have power to classify any new schools and reclassify old ones either exclusively for white or Negro children. The committee's action would be subject to approval by the Legislature.

Judge Wright called the statute an artifice.

"It would serve no useful purpose to labor this matter. The Supreme Court has ruled that compulsory segregation by law is discriminatory and violative of the equal protection of the laws of the 14th Amendment," Judge Wright said, in denying the parish school board's motion.

Integration Fight In New Setting

Commercial Appeal

Louisiana Switches Battle To State Courts

Memphis Tenn.

SEEKS ACT APPROVAL

Sat. 8-2-58

By The Associated Press

BATON ROUGE, Aug. 1. — Atty. Gen. Jack Gremillion said Friday Louisiana will switch its fight into state courts in a new move to block race mixing in New Orleans public schools.

The state's chief legal officer said a suit will be filed Monday in Orleans Parish Civil District Court asking a 1956 legislative act removing from the Orleans Parish school board the power to classify schools be declared valid.

P. 1

1420

Legal Artifice

In a ruling July 1, Federal District Judge J. Skelly Wright said the act, which gives the Legislature authority to classify Negro and white schools in New Orleans, was unconstitutional.

Since the United States Supreme Court has ruled "compulsory segregation by law is discriminatory," Judge Wright said, "any legal artifice, however, cleverly contrived, which would circumvent this ruling . . . is unconstitutional on its face. Such an artifice is the statute in this suit."

The judge denied a motion by the Orleans School Board seeking dismissal of the segregation suit filed almost four years ago. Federal courts have ordered school integration in New Orleans "with all deliberate speed."

Speaking of Judge Wright's decision, Mr. Gremillion told a news conference, "We feel this was an improper decision. The Orleans School Board is bound by Louisiana law, which has removed its power to classify schools.

"And also, in my opinion, this suit cannot be removed to Federal Court until it is decided by the State Supreme Court. The validity of a Louisiana act is the only question."

He described the suit as "an entirely new approach, the first affirmative action by Louisiana in a segregation suit."

Whether successful or not, the suit could tie the question of integrating New Orleans schools up in legal red tape for another year or more.

Intent Of Legislature

Noting the 1956 act of the Louisiana Legislature, the petition says, "It is clear from the language of the statute that it was the intent of the Legislature to reserve to itself the right to classify such public schools from Negro to white or white to Negro or from white or Negro to mixed or integrated schools."

Therefore, it says, the Orleans School Board was not the proper party for the suit. The suit should have been filed against the state of Louisiana, the petition concludes.

To file suit against the state of Louisiana requires consent of the Legislature.

Louisiana Adds 524 New Laws

Advertiser

Montgomery Ala.

BATON ROUGE (AP)—Louisiana added 524 laws Wednesday at noon as the acts of the 1958 legislature took effect.

Thurs. 7-31-58

They include the first major tax raise in 10 years—a bill doubling the one per cent per 1,000 cubic feet natural gas gathering tax.

P. 4C

1420

The tax is designed to produce about 20 million dollars per year until July, 1960, didicated to finance a statewide teachers pay boost.

Another measure provides a plan for closing public schools ordered to integrate. The schools could be reopened with operation by private cooperatives.

Integration barriers are also strengthened with a law setting up a pupil assignment program based on an Alabama statute.

Louisiana's laws calling for racially separate seating on buses and street cars were also knocked out at noon. These laws already were declared invalid in a federal court order ending segregation on New Orleans buses.

Segregation leaders say this clears the way for bus companies to make their own segregated seating rules.

Most drastic of the new criminal statues provides for the death penalty for sale of narcotics to a person under 21 years of age by a person over 21.

In New Orleans

Negro Schools Are Over Crowded; White Schools Need More Pupils

22

1420

By O. C. W. TAYLOR

Daily World

NEW ORLEANS — (ANP) — They are advertising to get children in some of the white public schools of New Orleans. Parents of the Lakeview public schools say their need is to get more pupils. They report an average of 17 children to the room. The maximum load in white schools is 35 children per class.

Atlanta Ga.

Tues 11-4-58

They are on the contrary complaining, in Negro segregated schools about the number of children in a room, and the number of Negro children forced to get only one half-day of schooling. In some schools as many as 65 per room have been reported. There are also reported as many as 9,000 Negro children on half-day classes.

P. 1

Courts have decreed that New Orleans should be integrated as to schools but there has not been one step made towards this end. Integration would make possible the use of many rooms only partially filled and some rooms not used at all.

Integration would also eliminate the necessity of bussing children across town (white children) in order to fill some schools and bussing other children (Negro children) in order to keep them from attending the school nearest their home.

There are more Negro children in New Orleans' public schools than whites. They report 46,000 Negro children and only 41,000 white children. The number of white schools, however, outnumber those for Negro children eight to five.

Another oddity in New Orleans public schools is that the training of Negro teachers is said to outrank that of white teachers. Negroes go to better graduate schools because the local graduate schools have not been accepting them for a long time. LSU being the only exception.

N.O. MIXING SUIT STAY IS ASKED

Times

Await La. Court Ruling, Wright Requested

Picayune

Federal Judge J. Skelly Wright took under advisement Wednesday a motion by the Orleans parish school board. It asked a stay of federal court proceedings in the school segregation case pending the outcome of a case in state supreme court.

New Orleans La.

P. 1

Several weeks ago Judge Wright denied a motion by the board asking dismissal of the suit by a group of Negroes seeking desegregation of the public schools. At the same time he declared Act 319 of the 1956 Legislature unconstitutional on the grounds that it was merely an attempt to circumvent his original ruling in 1956, ordering desegregation "with all deliberate speed."

Thurs 9-25-58

At that time he ponited out that Act 319 provided that the matter of classifying schools as either exclusively white or exclusively Negro would be placed in the hands of a legislative committee.

Gerard Rault, th school board's special attorney, argued Wednesday that it would be in the "economy of time" if all further proceedings in federal court be stayed until the state supreme court rules on a suit brought by the attorney general. This suit asks a declaratory judgment clarifying the state law.

Rault contended that the state supreme court is the final interpreter of the laws of the state and that any decision by the federal court as to the meaning of the act would be subject to change in the light of a conflicting opinion from the state court.

14d(1) 1958 MAINE ✓

Parochial Problem

Police Powers Argued In School Bus Fight

14d(1)

By the United Press.

AUGUSTA, Maine, March 3.—Opposing sides in a test case which may reach the U.S. Supreme Court clashed today over whether the "police powers" of Maine's capital city justify public buses for parochial schools.

Telegram P. 10

The conflicting viewpoints were set forth in briefs filed with Superior Judge Harold C. Marden.

Sun. 3-3-58

The side favoring public buses for parochial schools contended the buses would be legal under the city's "police powers" to protect "the health, safety and welfare" of school-children.

New York, N.Y.

"A child attending a non-public school suffers as much from the elements and is equally exposed to dangers of life and limb from traffic hazards as his neighbor who attends a public school," the brief added.

The opponents claim that a municipality's "police powers" cannot be constructed to include the right to use the public purse to finance bus service for non-public schools. They said that starting city-supported bus service for parochial schools would violate the state and federal constitutions by infringing upon separation of church and state.

Each side has indicated it will appeal an adverse decision by the Superior Court to the Maine Supreme Court, and possibly to the U.S. Supreme Court.

14d(1) 1958

MARYLAND

Maryland School Case Is Argued

Washington D.C.

Fri 1-17-58 p. A12

CHARLOTTE, N. C., Jan. 16 (AP)—A Negro lawyer told the U. S. 4th Circuit Court of Appeals here today that the Harford County, Md., School Board has shown "deliberate delay" not "deliberate speed" in complying with the U. S. Supreme Court's school desegregation ruling.

14d(1)

The court heard oral arguments on an appeal from a Federal District judge's ruling that "a stair step" method of integrating the county's schools complies with the Supreme Court's ruling.

"The county plan now in effect is to accept application for transfers from pupills who wish to attend elementary schools in areas where they live, if the schools are not more than 10 per cent overcrowded.

It also provides for high school students to apply to schools nearest their homes. These students also must take standardized intellience and achievement tests. The results of these tests, in part, determine if the students are transferred.

Lawyers appearing for the 11 Negro children, for whom the suit was brought, called the tests for high school students unconstitutional and said they were a "burden" not required of white students.

The Board's lawyer told the court the county had shown good faith in complying with the Supreme Court's decision and said by 1963, all segregation in the county's schools would be eliminated.
High School.

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2 Racial Case Appeals In Maryland Studied

Evening Star

Friday 2-7-58

Washington D.C.

14d(1)

BALTIMORE, Feb. 7 (AP).—The State Board of Education yesterday took under advisement appeals from Negroes trying to upset local school board decisions in two Southern Maryland counties.

After hearing daylong testimony, the board said rulings would be withheld probably two weeks to allow members to study the voluminous records.

In one case, the parents of a Negro child attending an integrated school in Charles County sought to set aside a ruling denying their son the right to ride the same bus used by white students.

The other special hearing was on a St. Marys County Negro's appeal of a decision denying his two children transfer to an all-white school.

Mr. and Mrs. Gilbert G. Hart of Indian Head, Charles County, contended the superintendent of schools should be prohibited from denying transportation to a pupil "purely because of race" and said such denial is "unreasonable, arbitrary and capricious discrimination against Negro children."

In Keeping With Policy

C. Paul Barnhart, Charles County school superintendent, said 7-year-old Gilbert G. Hart, jr., had been denied integrated transportation in keeping with county school board policy.

Although Charles County school officials have started integration in classes, the bus system remains segregated. School officials noted that the Hart boy travels with his white classmates on school trips where the students are supervised by teachers.

They contended the decision to keep the bus segregated was to prevent disturbances. Young Hart is one of two Negroes in the Indian Head school.

In the St. Mary's case, school officials agreed with the complaint that a Negro brother and sister could have been admitted to Great Mills High school last fall if they where white children..

But the former county school superintendent, Mrs. Arthur P. Gough, sr., said she refused the requested transfer "in accordance with the policy adopted" by the county board of education. She said she "had no right to go beyond that."

Ruling Appealed

William Groves of California, Md., appealed to the State board of education from Mrs. Gough's ruling that his son, Thomas, 15, and daughter, Joan, 14, could not transfer from an elementary parochial school, Cardinal Gibbons, to the all-white Great Mills School.

Two officials of the National Association for the Advancement of Colored People sat in on the hearing. They were L. R. Henderson of Lexington Park, president of the St. Marys NAACP group, and Luther H. Stuckey of Pisgah, president of the Charles County NAACP chapter.

H. Vernon Eney of Baltimore, representing the present St. Marys superintendent—Robert E. King, jr.—told the board the sole reason for refusing the Groves children was that "integration above the elementary grades was not permitted."

The county board had adopted a policy July 31, 1956, that there would be integration the next September of grades 1 through 6 "on a voluntary basis, with approval of the superintendent, if facilities were available."

Mr. Groves said he applied for the transfer in February of 1957, received the applications blanks sometime in May, and they were returned marked denied "just about the time school opened."

Prince Georges Program

County Asks $4 Million For 2 Negro Schools

14d(1)

By Jean Jones
Staff Reporter

Washington D.C.

. Prince Georges County's proposed $15.8 million school building program asks some $4 million for two all-Negro secondary schools and an addition to an all-Negro elementary school.

This request is in contrast to a move by the Board of Education in neighboring Montgomery County to speed up integration by abandoning plans for a new $1.7 million white secondary school in Rockville for all-Negro Carver Junior-Senior High as an integrated facility.

However, School Superintendent William S. Schmidt said the Prince Georges case differs from the Montgomery situation. Prince Georges school policy prohibits forced integration, he said. He also said there will be no duplication of facilities under the construction plans.

The proposed schools are a new 800 student, $2.23 million Douglass Junior-Senior High, to be located in either Croome or Rosaryville; a 750 capacity, $1.65 million Fairmount Heights Junior High, in Fairmount Heights, and a 6-room, $155,000 addition for Beaver Heights Elementary.

Schmidt explained that the proposed Fairmount Heights Junior High will "serve walking students who live in the community." The building is needed to relieve serious overcrowding at Fairmount Heights Junior-Senior High, he added.

The new Douglass school will replace the present cramped Douglass in Upper Marlboro, he said. Nearby high schools, Frederick Sasscer and Gwynn Park, are already crowded and extensive additions to them are not feasible, he declared.

The 6-room addition to Beaver Heights is needed, he said, because enrollment there already exceeds 500 pupils in a 420 capacity structure.

NAACP Attorney Argues In Appeals Court That Maryland's Public School Integration Program Is Too Slow

Call p. 6 Fri 2-28-58

Kansas City Mo.

14d(1)

NEW YORK. — NAACP Legal Defense and Educational Fund counsel argued Jan. 16 before the U. S. Court of Appeals for the Fourth Circuit that the Hartford County, Md., plan for desegregating its public schools was too slow to meet constitutional requirements.

After petitions and lower court hearings which commenced in 1955, Hartford County, Md., had agreed to desegregate all of the elementary schools in the County except three which are scheduled to be opened for the 1958 school year and three others which are scheduled to be opened for the 1959-60 school year. It agreed to desegregate its high schools over a period of five years to be completed in 1963, except that Negro children who would take special examinations not required of white children, might be admitted before that time.

Reasons given for the delay were overcrowding of the schools, local opposition, and the alleged fact that children adjust better in high school if admitted during the freshman year, instead of in the higher grades.

Counsel for the Negro children, Jack Greenberg of the NAACP Legal Defense Fund, New York City, and Tucker R. Dearing of Baltimore, argued that there really was no overcrowding, but that if it existed it was a problem to be solved without depriving Negro children of their rights. They pointed out that the U. S. Supreme Court had forbidden school boards to use local opposition as grounds for delay; and that if there were problems in personal adjustment for students admitted above the freshman level, they should be solved without regard to race.

The case was filed on behalf of a group of Negro residents of Hartford County, Md., some of whom, as a result of prior efforts in the case, have already been admitted to the school. Approximately 44 Negro children are now attending formerly all-white schools in the County.

Baltimore Sees Negro Students In Majority Soon

14d(1)

Evening Star

Fri 4-11-58

Washington D.C.

BALTIMORE, April 11 (AP).—More than half of Baltimore City's public elementary school pupils soon will be Negroes.

The Baltimore Bulletin of Education, magazine of the school system, said there were 51,958 white elementary pupils last year and 50,977 Negroes. By 1962, it said, Negroes will outnumber white pupils 70,075 1944-5.

Research Director Lorne H. Woollatt, writing in the current issue, said one factor was a continuation of the flight to the suburbs that began in 1944-45.

More white pupils migrate out of the city, he said, while Negro pupils enter the city. Dr. Woollatt also said one out of three white children enrolls in non-public schools.

Integration in Maryland Lags Outside Schools

By Laurence Stern
Staff Reporter

Post Herald

Tue 3-4-58

Washington D.C.

ANNAPOLIS, March 3 Maryland is making steady progress toward desegregating schools but has done little toward dropping racial bars in hotels, housing, restaurants and theaters.

This was the situation reviewed today for Gov. Theodore R. McKeldin and the General Assembly in the 1957 report of the Maryland Commission on Interracial Problems and Relations.

Montgomery County led Maryland's 23 counties in the number of Negro students enrolled last year in formerly all-white schools, the report showed.

The suburban Maryland County also led most areas of the state in the number of non-segregated public eating places.

The report showed that of the 3077 Negro children admitted to white classes in all counties last year some 40 per cent or 1245, were enrolled in Montgomery County schools. In Prince Georges, 224 Negro pupils were reportedly enrolled in formerly all-white schools.

Throughout the state, the Commission said, "the number of Negro pupils now attending formerly all-white county schools has doubled." It said that "23 per cent of the county schools have both white and Negro pupils."

Nine Eastern Shore and Southern Maryland counties have not started toward desegregation. Of these, Calvert and Caroline have no announced desegregation policy.

Seven others, Dorchester, Kent. Queen Anne's, St. Marys, Somerset, Wicomico and Worcester have adopted a policy but have no mixed classes.

A survey of discriminatory practices in hotels and other places of public accommodation showed that only 9 per cent accept Negroes without question, according to the report.

No "white-only" hotels were found to unqualifiedly accept Negro patrons.

Segregation policies are practiced in 75 per cent of the state's restaurants and 97 per cent of its theaters, the report added.

But the Commission listed 39 eating establishments in Montgomery County that have no segregation policy.

The 7-year-old Commission called for reconsideration of a bill that died in the 1957 session. It would ban segregation in "any places of public accommodation, resort or amusement." It is unlikely, however, that the Assembly will take up this proposal in its expiring 30-day session.

School Racial Pleas Denied In Maryland

Star 2-26

Thurs 2-27-58

Washington D.C.

BALTIMORE, Feb. 27 (AP).—The State Board of Education yesterday denied appeals from school segregation decisions made by officials in two Southern Maryland counties.

The actions came after a lengthy closed meeting. The board refused to set aside a ruling by the St. Marys County superintendent that two Negro children could not transfer to an all-white high school. It also refused the plea to a Negro parent whose 7-year-old son was denied permission by Charles County to ride on the same school bus as his white classmates.

The St. Marys County case involved a son and daughter of William Groves. The board said it did not have the right to waive a statutory requirement that an appeal be filed within 30 days of the county superintendent's action, and the appeal was not filed for 57 days.

The board said this and the Charles County case both involved the question of "whether the constitutional rights of the children had been violated by the policy of the County Board," and the attorney-general's office had advised the board it had no right to decide matters of a purely legal nature.

In the Charles County bus case, Mr. and Mrs. Gordon G. Hart contended school authorities were prohibited from denying transportation to pupils "purely because of race."

Two Negro Appeals Rejected

Post Times Herald

P. 21

School Boards Are Upheld in Maryland Cases

Washington D.C.

Feb 28-58

BALTIMORE, Feb. 27 (AP)—Negroes trying to upset local school board decisions in two Southern Maryland counties have lost their appeals to the State Board of Education.

The board held special public hearings Feb. 6 on the cases, one in St. Marys County, the other in Charles County. Yesterday, after a lengthy closed-door meeting, the board upheld the county boards of education in both cases.

In St. Marys County, William Groves of California, Md., appealed from the county ruling that his 15-year-old son, Thomas, and daughter, Joan, 14, could not transfer to the all-white Great Mills High School. Both had completed their elementary education at the Cardinal Gibbons parochial school.

St. Marys officials said the children were refused permission because the county had integrated only elementary grades, not high schools. Actually, it was testified that four transfer applications from Negro children were approved but none showed up so the elementary schools remain segregated.

The state board ruled that it did not have the right to waive a statutory requirement that an appeal be filed within 30 days, and said it was not filed for 57 days.

As to the Charles County case, the board said, "the same question of constitutional rights is involved" and gave no further reason for its denial.

Mr. and Mrs. Gilbert G. Hart of Indian Head had contended that their child attending an integrated school in Charles County was denied the right to ride in the same bus with white students purely because of race."

County Superintendent C. Paul Barnhart testified at the hearing that 7-year-old Gilbert G. Hart Jr. was denied integrated transportation in keeping with the county's policy. Integration has been begun in Charles but buses remain segregated.

Negro Accuses Maryland School Board Of 'Deliberate Delay'

Advertiser

Montgomery Ala.

Thur 1-17-58

CHARLOTTE, N.C., Jan. 16 (AP)—A Negro lawyer told the U.S. 4th Circuit Court of Appeals here today that the Harford County, Md., School Board has shown "deliberate delay" not "deliberate speed" in complying with the U.S. Supreme Court's school desegregation ruling.

The court heard oral arguments on an appeal from a federal district judge's ruling that "a stair step" method of integrating the county's schools complies with the Supreme Court's ruling.

The county plan now in effect is to accept application for transfers from pupils who wish to attend elementary schools in areas where they live, if the schools are not more than 10 per cent overcrowded.

Maryland Suit Attacks School Bus Segregation

Post Herald

Tue 4-8-58

Washington D.C.

A suit has been filed in Baltimore Federal Court seeking an injunction against segregated school bus transportation in Charles County, Md.

Mrs. Gilbert G. Hart brought suit in behalf of her son, Gilbert Jr., 8, a Negro elementary school pupil at Indian Head, Md.

The complaint named as defendants the members of the Charles County School Board and C. Paul Barnhart, County School Superintendent. It alleged the boy was denied transportation on a school bus for white students.

The suit stated Barnhart, ofered segregated transportation which was refused. The Maryland Board of Education the complaint alleged, denied any jurisdiction in the case.

Maryland's Desegregation Plans Stand

By LOUIS LAUTIER

Record

P. 1

WASHINGTON, D. C. — (NNPA) — The Supreme Court Monday refused to review the judgement of lower Federal courts approving the plan for desegregation of public schools in Harford County, Md.

The plan, approved by the Harford County Board of Education, provides for the gradual desegregation of the county's elementary schools over a two-year period and high schools over a five-year period.

The action of the Supreme Court in denying a review of the judgement of the Fourth United States Circuit Court of Appeals follows the pattern apparently adopted after the May 17, 1954, decision outlawing racial segregation in public education of leaving to the lower courts the matter of implementing that decision.

Thurs 6-12-58

The suit was originally brought by four colored children seeking admission to previously all-white schools in Harford County.

On Nov. 29, 1955, 21 colored children brought suit to enjoin racial segregation in the county schools. Counsel for the NAACP and the Board of Education agreed to the dismissal of the suit on March 9, 1956, after the Harford County Citizens Consultant Committee had resented a resolution to the Board of Education, which the latter group adopted, providing for the transfer of pupils upon approval of their applications by the school board.

Segregation Ruling Delayed in Maryland

P. A 23

Star

Wash., D.C.

Wed. 6-25-58

BALTIMORE, June 25 (AP).—Judge Roszel C. Thomsen will withhold a decision until after August 1 on two Southern Maryland school segregation cases taken to Federal Court after adverse rulings from the State Board of Education.

In a St. Mary's County case, William Groves, California, Md., Negro, seeks to have his two children, Thomas, 14, and Joan, 16, transfer to the all-white Great Mills School.

When the case was argued before Judge Thomsen yesterday, School Board Vice President Robert E. Wigginton testified the boy would "in all probability" be admitted to the white school this fall under the county's plan to extend integration to junior high schools.

When the same case was heard by the State board last February, School Supt. Robert E. King, jr., declined to say whether the county would expand this fall its present integration of grades one through six.

Judge Thomsen asked why Thomas' sister could not be admitted to Great Mills at the same time. He said he felt making an exception in her case would not do violence to the county's integration plan. Mr. Wigginton said the county board plans to integrate on a high school level, which would include the Groves girl, in 1959-60.

"We haven't stated this up to now," he said, "because we do not know what developments will arise from the integration of the junior high this year. My personal view is that we will have no trouble about it."

St. Marys officials also said yesterday, as they had at the State board hearing, that integration of elementary grades last fall brought only four applications for transfer from Negro students—and none of the four showed up when classes began.

Heard by Judge Thomsen on Monday was a Charles County case in which representatives of 7-year-old Gilbert G. Hart, jr., contend he should be permitted to ride in the bus for white students on his way to Indian Head Elementary School. This case was taken up at the State Board of Education's same February hearing and also drew an adverse ruling.

Maryland Plans More Integration

Post Times Herald

P. 14C

Fri. 8-23-58

Washington D.C.

BALTIMORE, Aug. 22 (AP) Another integration move in Maryland will be made next month. An effort to expand it into a new field was announced.

The Board of Education in Baltimore County reported that 13 Negroes will teach in the same schools with whites for the first time.

The county began integrating students in 1955 and only 19 schools out of 93 still are segregated.

Maryland's welfare director, Thomas J. S. Waxter, says the State should abandon a school for delinquent Negro girls and integrate with one now used only for white girls.

Waxter announced he will ask the 1959 Legislature to approve the closing of the Barrett School at Glen Burnie and integrate the Montrose School at Reisterstown in the interests of economy.

News-Observer

Raleigh, N.C.

P. 1

Wed. 9-17-58

BALTIMORE (AP) — Pupils at two Charlottesville, Va., schools should know sometime this week—perhaps Wednesday—whether they will go to classes next Monday.

Chief Judge Simon E. Sobeloff of the Fourth [illegible] of Appeals heard arguments for three hours Tuesday on a request by the Charlottesville School Board to delay a court order requiring the two all-white schools to admit Negroes. He deferred decision until he could study the material and arguments offered.

If Sobeloff grants a stay to the lower court order to admit 10 Negroes to Venable elementary and two Negroes to Lane High, the schools will open as scheduled next Monday, with no Negroes. If he refuses a reprieve, the school almost certainly will be closed by the state.

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14 Maryland Counties Desegregate Schools

Washington Post

Washington, D.C.

Sat. 8-30-58

P. D1

BALTIMORE, Aug. 29 (AP) The same 14 Maryland counties which opened school doors to desegregated classes last year will do so again next week.

In most counties the desegregation program will encompass new grades or new schools.

Department of Education officials estimate 536,905 pupils will have started the 1957-58 school year between Sept. 2, when the first schools open in Garrett and Carroll counties, and Sept. 8, when the last classes get under way in Washington County.

17,597 Negroes

A year ago statewide enrollment included 17,597 Negro pupils in 257 schools previously designated white. In 1956 there were 10,966 in 205 schools.

David Zimmerman, assistant superintendent of schools, said in 1956 the State was making "gradual, but satisfactory" progress in its desegregation program. "This year our progress is comparable," he says.

In nine Maryland counties there will be no integration of Negro and white pupils.

These include Garrett, which has no known Negro children of school age, and Calvert, where 52.5 per cent of the estimated enrollment is Negro.

No Segregation

The other counties where segregation will be continued are Caroline, Dorchester, Kent, Queen Annes, Somerset, Wicomico and Worcester — all on the Eastern Shore.

School Superintendent James G. Busick of Dorchester, where about one-third of the estimated 5800 enrollment is Negro, said no applications had been received from Negro pupils seeking admission to white schools. Nevertheless, the county is continuing its announced program of desegregating at least one grade a year. This year the 10th grade will be added to 12th and 11th, previously classified as nonsegregated.

In the other six Shore counties still segregated, school officials have announced they will accept applications for all schools from Negro pupils but none have been received.

Talbot and Cecil are the only Shore counties where some desegregation actually has been put into effect and will continue this year.

In Montgomery County an estimated 1326 Negro pupils will attend desegregated classes in 48 of the county's 102 schools—an addition of 367 students over last year. This represents 43.4 per cent of the total Negro enrollment of 3058 in Montgomery.

Prince Georges County schools will admit about 40 additional Negro students to formerly white schools, bringing total Negro attendance in desegregated classes to 254, or 3.5 per cent of the county's Negro enrollment.

McKeldin comes to a teacher's rescue

Afro American

P. 3

Baltimore, Md.

Sat. 6-28-58

ANNAPOLIS, Md. — Maryland's Gov. Theodore R. McKeldin, Friday, threw the prestige of his office into the case of a school teacher ousted in Prince Georges County because of remarks he made in regard to the treatment of colored persons in Georgia.

Governor McKeldin strongly urged the Prince Georges County School Board to give a hearing to Bladensburg Junior High School teacher Alan Goodsaid, who was asked to resign for commenting to his pupils on alleged anti-colored acts in Dawson, Ga.

School authorities said they asked Mr. Goodsaid to resign after he read a published news story to his class concerning charges of voting restrictions and other reprisals against colored persons in Dawson.

School officials said Mr. Goodsaid told his class "they should be ashamed to live in America." The teacher refuted that statement and said he told the class that the alleged brutality in Dawson "almost made me ashamed of the human race."

School Superintendent Wil- haps the story of troubles in liam S. Schmidt declared, "per- Dawson could have been used to good advantage in the classroom, but we don't believe that a teacher should tell students to be ashamed to live in America."

George E. Robinson, assistant superintendent in charge of personnel, gave Mr. Goodsaid the ultimatum of resigning or being ousted. He said;

"We cannot accept that kind of teaching regardless of the phrase used." Goodsaid has stated that he plans legal action to have his forced resignation set aside.

The 36-year-old social studies teacher branded false the accusations by school officials that he told his seventh grade class they should be ashamed to live in America.

Robinson said the incident was brought to his attention by the mother of a girl in Mr. Goodsaid's class, who, with other parents, decided "to make an issue of it."

Governor McKeldin, in a letter to the school board stated, "Since Mr. Goodsaid feels he is a victim of injustice, I believe he should be afforded the right of a hearing at the very least.

"I know many men who today are pillars of free enterprise, who in their twenties would argue vociferously in the cause of socialism."

Montgomery Leads List

State School Enrollment Increasing at Rapid Rate

Post + Times Herald

Washington D.C.

Wed. 10-29-58

BALTIMORE, Oct. 28 (AP) Maryland's public school enrollment is increasing by leaps and bounds, but Montgomery County's enrollment has jumped twice the state rate.

Official figures released today by the State Department of Education show 557,540 students enrolled in the public schools, a 30.9 per cent increase from the 429,810 pupils five years ago, and 4.9 per cent more than the 532,494 in class last fall.

The total includes 321,430 elementary students, 214,870 in junior and senior high schools and 21,240 in kindergarten as of Sept. 30.

Montgomery County, reflecting Washington's burgeoning suburbs, leads Baltimore City and the 23 counties in the percentage of increase with a whopping 62.7 per cent jump from 1953 enrollments and 8.6 per cent more than last year.

Montgomery's present enrollment is 60,978, compared to 55,958 last year and only 37,362 in 1953.

Baltimore County outranks Montgomery in total students, 77,560, but is a shade behind in the race for the title of fastest-growing county school system. Baltimore County's current enrollment is 48.1 per cent above 1953 and 6.5 per cent above last year.

Baltimore City, the only subdivision of the state where enrollments are still listed as tentative, has better than one fifth of the Maryland enrollment, or 163,822, including most of the state's kindergarten enrollment, 13,317. Excluding the kindergarten pupils, the city's enrollment increased 3.6 per cent over 1957 and 20.9 per cent over 1953.

Allegany, with the sixth largest county enrollment, 15,969, showed the smallest five-year gain, only .8 per cent from 15,837 in 1953 and .9 per cent from 1957's enrollments of 15,831.

The county lost six students between 1953 and 1957, but picked up 138 the past year.

Prince Georges County, with the third largest enrollment among the counties, reported 61,046, up 44.6 per cent from the 42,223 five years ago and 6.7 per cent from 1957's enrollment of 57,228.

Anne Arundel has 36,359, up 49 per cent from the 24,396 in 1953 and 7.2 per cent—second only to Montgomery—from last year's 33,914.

Washington County, with 18,688 students this year, has a five-year increase of 16.7 per cent from the 15,531 pupils in 1953 and 2.5 per cent from 1957's enrollment of 17,695.

Frederick County's total of 13,494 was up 17 per cent from 1953's enrollment of 11,533 and increased 2.1 per cent from last year when 13,209 were in school.

Wicomico County, 10th on the list in total enrollment with 9545 students, showed an increase of 27.4 per cent from the 7491 students in 1953 and 4.2 per cent from last year's 9161.

Dorchester, with 5968, was up 13.7 per cent from the 5249 students enrolled in 1953 and 3.2 per cent above the 5782 enrolled last year.

MARYLAND SHOWS INTEGRATION GAIN

5,000 More Negroes Slated to Enter White Schools —No Violence Likely

New York Times

New York, N.Y.

Sun. 8-31-58

P. 36 L

Special to The New York Times.

ANNAPOLIS, Md., Aug. 30—Classroom integration in Baltimore City and fourteen Maryland counties will reach 5,000 more Negro children next week than it did last year, according to state education officials.

It is also predicted by officials that the continued transition from segregated enrollments will occur without violence. On this point, much depends on the atmosphere generated by events in Virginia and Little Rock, Ark., for instance.

In nine Maryland counties there will be no desegregation, for reasons ranging from an absence of Negro residents of school age, as in Garrett, to effective segregation despite official policies, as in several Eastern shore counties.

Dr. David W. Zimmerman, Assistant State Superintendent of Schools, said the pattern was generally one of gradual and satisfactory progress.

Average Stays Same

"We have averaged integration of about 5,000 pupils each year since 1954," he reported. "I think the figure will be about the same this year."

Compilations last year showed that 17,957 Negro pupils attended 257 schools formerly reserved for white enrollment. Of that total, 14,826 pupils were in Baltimore City, attending seventy-three desegregated schools. Dr. Zimmerman indicated that most of the desegregation expansion in the city this year would result from changes in neighborhoods as Negro residential areas expanded.

In these counties where the programs of integration are continuing, changes this year vary with the course chosen by each local government. In some, integration will be expanded to include new grades within a school system; in others, more schools will be designated to take in Negro pupils.

In Anne-Arundel County (Annapolis), the fifth and sixth grades will be added to the first four already desegregated. In Baltimore County, six schools will be added to the seventy-five already designated as open to Negroes—although, in fact, Negro pupils entered only forty-six of the schools last year.

Others Bar Integration

In addition to Garrett, there will be no integration in Calvert, Caroline, Dorchester, Kent, Queen Annes, Somerset, Wicomico and Worcester counties, although most have official policies permitting applications by Negroes for transfer to all white schools. In Dorchester, for example, grades 10, 11 and 12 have been declared open to Negroes generally, but no applications have been reported this year.

The prospects for St. Mary's county remained uncertain, since the county currently is under court order to admit one Negro pupil to a white high school and another has sought admission to junior high. County authorities officially desegregated the elementary grades earlier, and extended that designation this year to the junior high level. The state report, however, shows that no Negroes attended integrated classes last year

State officials have estimated that 536,905 pupils will enter schools for the fall term, all next week, except in Washington County, where classes will not begin until Sept. 8. The total would represent an increase of about 26,250 over that of last year.

Dr. Zimmerman said his office did not have statistics indicating how many of the total were Negroes.

Mennonites' Children Leave Public Schools

14d(1)

Post

Washington, D.C.

Sat. 9-6-58

P. A4

Associated Press

HAGERSTOWN, Md., Sept. 5—With approval of the Washington County Board of Education, Mennonites have withdrawn their children from county public schools.

Parents said they object to the use of television in the scholastic program. Members of the strict Protestant sect also oppose radios, military service and taking oaths.

School Superintendent William Brish said the Mennonites have leased a building owned by the School Board to use for classrooms and will supply their own teachers under State Department of Education requirements.

Closed circuit television is used in county teaching. The pilot experiment has been termed a success by school officials.

Court Upheld In St. Marys School Case

Post

Washington D.C.

Fri 11-14-58

P B 4

BALTIMORE, Nov. 13 (AP) The United States Fourt Circuit Court of Appeals today upheld a lower court order directing the admission of a Negro girl to a St. Marys County high school as an exception to the County's integration plan.

Attorneys for the County had argued that the presence of the girl, 16-year-old Joan Groves, would interfere with the orderly process of desegragation at Great Mills High School.

In upholding Federal District Judge Roszel C. Thomsen, the appellate court ruled that the girl, a senior, would suffer "unusual hardship" under the plan. The County desegregation plan calls for removing racial barriers from the 12th grade in the future.

The girl's brother, Conrad, 14, enrolled in the ninth grade this year when that grade was desegregated under the plan.

The Court said a Judge "May not disregard his own responsibility to determine not only whether a plan is offered in good faith but whether it is reasonable in all its aspects."

This, it added, "Includes the duty to determine whether an exception to the plan in a given case should be made."

The court stressed that Thomsen's opinion expressed "no disapproval of the general plan" for desegregating County schools and reserved to the school board the right to cite the plan in its defense in any future cases.

But it said it could not find anything "arbitrary or unreasonable" in the order directing the board to admit Miss Groves to Great Mills High. She was enrolled at the start of the current semester without incident.

Official Orders Get-Tough Policy For Detroit Schools

Advertiser Fri 4-4-58

Montgomery, Ala.

DETROIT (AP) — Wayne County Prosecutor Samuel H. Olson Thursday ordered a get-tough policy against hoodlumism by outsiders in the vicinity of Detroit schools.

p 1

The prosecutor issued a two-count conspiracy warrant against three youths held in the attack Wednesday on a teacher at Washington Trade School. Earlier, an assistant prosecutor had recommended a misdemeanor warrant charging disturbance of the peace.

Each count on the conspiracy warrant carries a five-year maximum prison term. The heaviest penalty under the misdemeanor charge would be 90 days in jail and a $100 fine.

Olson said, "Given similar facts in future cases of this type, the hoodum can expect similar action. Any attack on a person without notice will be dealt with harshly."

Jailed on the conspiracy charge were Clarence Sailor, William Chislom and Thomas Hill, 18-year-old Negroes. They were accused of attacking Richard Christian, 31, a white teacher at the school.

The Detroit Commission on Community Relations said there was no evidence to indicate racial differences were involved in any incidents of hoodlumism so far reported at public schools.

Police cracked down on school ground loiterers following four acts of violence in two days.

14d(1) Mich

Desegregation Gain Predicted

ANN ARBOR, Mich. (AP)—The entire South will have established some sort of desegregation in its public schools in 10 years, a University of Michigan sociologist predicted.

Times-Picayune

New Orleans La.

Sun 4-13-58

Prof. J. Milton Yinger said all but five or six states below the Mason-Dixon line will be integrated extensively in their public schools. Yinger, a visiting professor from Oberlin college (Ohio), added that the rest will have at least token desegregation in a decade.

14d(1) Mich

Yinger said anti-integration violence is a sign "not that change is being prevented, but that the old order is in desperate circumstances." p 25

He said urban-industrial democracy has begun to undermine segregation in the South.

14d(1) 1958 MISSISSIPPI

Action On Segregation

Mississippians Take Steps To Shut Doors Of Schools; Boyd And Fitzhugh Clash

Appeal P.5- Sec. IV

Governor Would Be Empowered To Act In Case Of Federal Intervention—Judge Says He 'Lost Faith' In His Attorney General

By LOUIS SILVER

Sun 4-13-58

14d(1)

LEGISLATIVE ACTION in Mississippi to close public schools to prevent integration and a Memphis rift between a Federal judge and his district attorney dominated the Mid-South headlines last week.

The anti-integration action at Jackson, Miss., began with Senate passage of a bill giving the Governor authority to close any public school or college. He would be given additional power to act in case Federal troops are ordered into Mississippi to force school integration.

Mr. Silver

After Senate action, the Mississippi House of Representatives passed four bills with the same intent. One would authorize school officials to close their institutions; another provides the state attorney general with the power to investigate all groups seeking to incorporate in Mississippi. The power could be applied to the National Association for the Advancement of Colored People.

Federal Court observers here were startled when Judge Marion S. Boyd said he had lost faith in Dist. Atty. Millsaps Fitzhugh. The judge said the district attorney's office "declined to present this Butler matter, involving the fraud of the century . . . to the grand jury."

The judge's outburst came after a new Federal Grand Jury reported it had indicted L. V. 'Jimmy' Butler, socially prominent one-time millionaire markets speculator, and two others on 14 counts of fraud.

$2,700,000 Recovery Suit

Judge Boyd had ordered the Grand Jury inquiry March 7 in the midst of a $2,700,000 recovery suit which resulted for Butler's dealings.

Mr. Fitzhugh, replying to the judge's charges last week, defended his position, saying, "I do not approve of stacking one sentence on top of another, for essentially the same offense." Butler was paroled by Gov. Frank G. Clement after serving 18 months of a three-to-five-year state prison term for the fraudulent sale of 1,229,839 bushels of soybeans to Continental Grain Co.

After Judge Boyd excused himself from the case, District Judge Lester L. Cecil of Dayton, Ohio, was designated by Chief Judge Charles Simons of the Sixth Circuit Court of Appeals at Cincinnati to preside at Butler's arraignment here April 25.

In other local news, a preliminary report of a special Memphis census showed the city now has 487,495 residents. An official tabulation, expected from Washington in about a month, may push the total past the 490,000 mark.

The Mississippi Legislature overwhelmingly approved a "quality education" program—the principal objective of its 1958 session—and the Senate voted to set April 30 for adjournment.

Provides Pay Boosts

The compromise education program, result of many nights of study by a conference committee, provides for teacher salary increases of up to $675. It makes a ninth month of school optional and sets local contribution costs at 24 million dollars. About 78 per cent of the 98 million dollar program will be borne by the state.

In Little Rock, a "voluntary" plan of desegregation, under which the "gradual" program at Central High School would be abandoned before the start of another school year, was offered by Herbert L. Thomas, insurance executive and former president of the University of Arkansas Board of Trustees. He asked the State Board of Education to support the plan, and as its first move to intervene in a Federal Court case pending on the Central High dispute, in which the school board has asked reversal of the school integration order.

Speaking out on the Little Rock integration controversy, Arkansas Gov. Orval Faubus charged the communists with "helping promote and "agitate" the matter. He singled out Lee Lorch, white mathematics professor at a Negro college at Little Rock, and his wife, Mrs. Grace Lorch, as part of a "communist apparatus" operating here.

Chancellor Guy Williams at Little Rock heard two hours of testimony on validity of the state's 1957-adopted segregation acts, but postponed a decision for at least two months.

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11 MILLION INCREASE IN TEACHER SALARIES OK-ED BY MISSISSIPPI

Appeal p.1

Action On Education Bill Ends Deadlock—May Adjourn April 30

Memphis Tenn

ACTION IS COMPROMISE

Raises Run From $100 To $675 A Year For Master's Degree — Annual Increments Provided

14d(1)

By KENNETH TOLER

From The Commercial Appeal Jackson, Miss., Bureau

JACKSON, Miss., April 11.—Mississippi's 15,678 classroom teachers got an annual salary boost totaling nearly 11 million dollars Friday.

The increases came when both the House and Senate approved a compromise "quality" education bill.

Sat 4-12-58

With settlement of that major issue, which has deadlocked the Assembly for weeks, the Senate set April 30 for final adjournment of the current session. House concurrence remains.

Budget Near Balance

Chairman William Burgin of the Senate Finance Committee announced that revenue bills already approved by the House and pending in the Senate are within two million dollars of balancing the budget for the new biennium commencing July 1.

Overall cost of the expanded school program in the new biennium has been placed at $97,812,222, or 22 million dollars more than was spent by the state in the current two-year period.

The school compromise was between a Senate program costing 104 million dollars and a House plan calling for 96 million dollars. It is possible for the program to cost an additional $1,729,207 in event schools disqualified from state support for the ninth month, because their daily average attendance falls below 80 per cent, improve that record.

Another feature was the setting of $245 per teacher unit for other school costs, such as materials, janitorial services and maintenance operations. The Senate had allowed $270 and the House $200. That will make available $7,682,220 for those expenses.

Raises Up To $675

Salary raises for teachers range from $100 to $675 a year.

Under the new schedule, Class AA certificate holders (master's degrees) will start at $2,875 compared to the present $2,200. Class A (bachelor degrees) will begin at $2,650 against the present $2,000. In addition, those two groups will receive an annual increment of $80 up to five years service, which is retroactive.

Other starting salaries, all of which are to be supplemented by an annual increment of $40 for five years, are:

Class B (high school graduates), $1,900 (now $1,600); Class C (three years high school), $1,600 (now $1,400); Class D (two years high school), $1,300 (now $1,200); and Class E (less than two years high school), $800 (now $700).

Local Funds Counted

Members of the conference committee working out the compromise said the program contemplates that local funds now used to implement the state schedule are to be continued.

Overall cost of public schools in the new biennium will be $126,670,591. The state will put up $97,812,222, with local districts supplying the remainder.

The funds will be allocated as follows:

Salaries of classroom teachers, $89,952,514, for transportation of students, $16,298,834, other costs (materials, etc.), $7,682,220, county superintendents of education, $2,762,668, and principals and supervisors salaries, $4,703,400.

Segregation Tries Costly To The South

Daily World Atlanta Ga

By VICTOR CALVERTON

Thur 4-17-58

JACKSON, Miss. —(ANP)— The fight against school desegregation in Mississippi is a costly battle. The state, two years ago, took the comparatively mild step of abolishing compulsory school attendance laws in its opposition of desegregation, but did so at a loss. P.1

Mississippi had a 44 per cent increase in juvenile delinquency in 1956, a year after the school compulsory attendance laws were repealed. Some educators and social workers in the state have warned that this is just a part of the price Mississippi will have to pay for its fight against school desegregation by such unwise acts.

14d(1)

Virginia, Alabama and some other southern states are ready to close their public schools rather than have colored children attend any school in the state with white children. But educators and social workers are warning the South that such extreme measures against the desegregation order of the U. S. Supreme Court will invite disaster in the South.

Daily World

Conditions have reached a critical stage in the areas of the South where there is a crisis in public education because of opposition to desegregation. In some localities school officials and supervisors in rural areas or officials in urban centers are confused as to what to do about badly needed new school construction. P.5

As a result of this confusion and uncertainty about the operation of the schools in the face of court orders for desegregation, localities in Mississippi, Alabama, Georgia, Virginia and other states are hesitant about launching school construction programs.

Thur 4-17-

In Virginia, for example, Gov. J. Lindsay Almond Jr., was unable to give a satisfactory answer to Richmond school officials last week whether to go ahead with building two high schools at six million dollars. All the governor would say was that local authorities in Richmond and everywhere else "should assess the situation as it pertains to a particular locality" and act accordingly.

Lawmakers Set Record Budget For Mississippi

Legislature Ends Session With Total Allocation Of $227,365,216

SCHOOL CLOSING LIMITED

Senate Refuses To Approve Power For Trustees In Case Of Threat Of Integration; Other Measure Passed

1440

By KENNETH TOLER

From The Commercial Appeal Jackson, Miss., Bureau

Commercial Appeal p. 1

Thurs. 5-1-58

Memphis Tenn

JACKSON, Miss., April 30.—The Mississippi Legislature ended the work of a 17-week biennial session at 6 Wednesday night with a record budget of $227,865,216. It was an increase of $41,739,629 over allocations for the current two-year period ending June 30.

Official adjournment is not until May 10, the interim being given to Gov. J. P. Coleman for consideration of measures passed in the last hours of the Assembly. The members will not return for the finale.

Lack Agreement

As the session ended, it refused to authorize trustees to close public schools in event integration is threatened, but voted earlier to vest that power in the Governor. The House had voted to give the trustees that authority, but the Senate refused to agree.

Another measure linked with the state's efforts to preserve segregation given final approval authorizes the Governor to close state parks under similar circumstances.

The Senate also approved a House bill strengthening provisions of the Workmen's Compensation Law relative to payment of benefits arising out of the pre-existing injuries. The bill also raised weekly benefits for workers from $25 to $35, the death payment from $8,600 to $12,500.

Blood 'Rider' Ok-ed

Both branches agreed on a conference report on funds for the state penitentiary which carried a "rider" allowing convicts 10 days' reduction in their sentences on donation of a pint of blood for blood bank use.

The House accepted a Senate amendment to its bill proposing a privilege tax on radio and television stations which removed those items from a privilege tax law.

House approval also was given to a Senate bill eliminating the right of non-residents owning certain lands in the state to be considered residents for the purchase of resident hunting and fishing licenses. It will affect many Memphians who own camps at Sardis Lake.

Highway Bill Passes

Approval was given a bill authorizing the Highway Commission to resurface Highway 7 from Coffeeville to Mt. Pleasant. The original bill provided for the work to end at Holly Springs.

A bill repealing refunds allowed contractors on public works for gasoline not used on the highways was approved by the House.

In another House action, Highway 61 from the Tennessee border to Redwood, north of Vicksburg, was designated the "Fielding L. Wright Memorial Highway" in recognition of the late governor.

Plan New Negro School in Meridian

Meridian Star P. 2

Meridian, Miss., May 5—Dr. L. O. Todd, superintendent of schools, said final plans and specifications for the new Magnolia school for colored to be located near the present Magnolia park in the northeast section of Meridian are expected to be completed within 30 days.

1440

Advertising for bids will begin as soon as the plans are complete, Dr. Todd added. The building will have at least 28 rooms for students in the 1st through the 9th grades.

Sat 5-10-58

The problem of site acquisition is delaying approval of the State Education Finance Commission on the new northwest elementary and northwest junior high schools for white students.

Jackson, Miss

School officials hope to begin construction on both buildings late this summer.

MISSISSIPPI TO SPEND $120 MILLION IN EQUALIZING DUAL SCHOOL SYSTEM

1440

By KENNETH TOLER

Mississippi Bureau, The Commercial Appeal Special to The Atlanta Journal-Constitution

JACKSON, Miss., May 24—In the absence of attacks on its segregated schools, Mississippi is going ahead with a building program to equalize the dual system.

Kenneth Toler

The program is being carried forward under legislative authorization for bonds to bring Negro facilities up to a par with those of the whites. Its ultimate cost has been estimated by the State Department of Education at 120 million dollars.

Under the program, the state is putting up $15 for each Negro student, and $12 for each white student in allocating funds under the building program. The allotments are based on a 20-year period.

A part of the program is a reorganization of the more than 2,000 school districts in the 82 counties. That has been completed under the State Educational Finance Commission with a reduction down to 115 districts.

Sun. 5-25-58

A major task now is placing the new school buildings in the reorganized districts. They are being planned for the areas of population of the two races as a further deterrent to efforts to integrate them. Many school buildings are being abandoned, and others reduced to the status of attendance centers.

Atlanta, Ga. P.S.E.

Considerable opposition has been raised locally on the abandonment of schools which have served as the center of community life. In many cases, the abandoned buildings are being turned over to groups within the areas for community centers. Others are being abandoned outright.

Thus far, projects for new buildings costing $42,638,210 have been approved by the commission headed by Louis Alford of McComb. About 80 per cent of the money has been allocated for Negro facilities, indicative of the disparity that existed prior to the United States Supreme Court's desegregation decisions.

The Week in Mississippi

With adjournment of the 1958 **Legislature** and its refusal to enact a law prohibiting legislators from holding state jobs, many members have returned to their state posts after taking legislative leaves-of-absences. In other cases, new ones have been added to state payrolls. **New names on the state payroll include Sen. Gordon Smith of Greenwood,** cousin of **Congressman Frank Smith** of the Third Congressional District, as new chief counsel of the Mississippi Employment Security Commission; **Sen. Wilton Byars of Bruce,** attorney-referee for the Workmen's Compensation Commission, and State **Rep. James Baxter of Lauderdale**

MISSISSIPPI

County, with the State Educational Finance Commission. . . . There has been no indication whether State **Rep. Ney Gore of Quitman County** will return as director of the Sovereignty Commission, the state's **segregation "watchdog" agency.** . . . However, back at work are **Sen. Zack Whisenant of New Albany,** with the State Building Commission; **Rep. Obie Trenor of Chickasaw County,** with the Motor Vehicle Commission, and **Sen. George Owens of Pontotoc** and State **Rep. Herschel Cameron of Lamar County,** with the Welfare Department. . . . **Sen. Stanton Hall of Hattiesburg** has qualified as a candidate for judge of the 12th Circuit Court District in the Aug. 26 primary. He is chairman of the **General Legislative Investigating Committee,** which has been instructed by the legislature to investigate the **National Assn. for the Advancement of Colored People.** He does not have to resign his legislative post to make the race, and interest centers on what the committee will do in its investigation in view of his campaign for office during the next few months. . . . The **Mississippi Municipal Assn.** is planning an active part in next year's legislative elections in an effort to make the rural-minded assembly more urban-conscious. The cities get about **$1,700,000** from the state, while the counties receive in excess of **35 million dollars a year.**

Halt Of Negro Schools To Get Longer Terms

Daily News P. 3

FOREST, Miss. (Special)—Only five of the ten Negro attendance centers in Scott county are eligible for nine months terms in 1958-59 under a state law which requires average daily attendance of at least 80 per cent of enrollment to qualify for nine months.

1440

Thurs 5-15-58

The Scott county school board earlier announced plans to extend the present eight months to nine months at all schools, white or negro, which are eligible.

Jackson Miss

Negro schools which probably will have longer terms are Little Rock, Midway, Morton, Mt. Olive, and Sherman Hill.

The other five schools can qualify for nine months if the attendance for 1958-59 is 80 per cent of the enrollment, the school board said.

All of the white schools have percentages of over 90.

Campbell Bid Low For Magee Negro School

1440

News

MENDENHALL, Miss. (Special —A bid. of $178,866 for the construction of a new Magee Colored High School submitted by Campbell Construction Co., Jackson, is being considered by the Simpson county board of education before final award is made. Second low bid was Thompson and Yeager, Raleigh, at $179,022, and third low, M M. Lockard Jr., Meridian, $183,700

P. 3

Jackson Miss

Plans for the building were prepared by E. L. Malvaney and Associates, Jackson.

Thurs. 6-19-58

Everett Electrical Co., Magee, was low bidder on electrical work with a bid of $10,910.

Bethea Plumbing Co., Laurel bid a low of $32,350, for mechanical work with Standard Plumbing Co., Jackson, second with $32,696 and D. W. Young, Jackson, third with $33,256.

14d(1) 1958

MISSISSIPPI

Keep Building Jackson Schools But Student Population Gains

Increase Of 1500 Pupils Yearly Is Now Estimated

Jackson

By LES BRUMFIELD
Clarion-Ledger Staff Writer

While Little Rock and Richmond grapple with the federal government for control of the political time bomb of the nation's public schools, integration — or segregation, Jackson school officials have their heads tgether studying ways to cope with a problem-charged situation of their own: mounting local school enrolments.

At present trends carry through, approximately 32,000 pupils will be enrolled during the 1962-63 term in white and Negro schools of the Jackson Separate School District.

This figure, based on an anticipated annual enrolment increase or approximately 1500 pupils, means that jobs will avail for approximately 20[illegible] additional teachers, and 125 to 1[illegible] other school administration personnel.

URGENT IMPLICATIONS

According to Horace Adams, director of the school district's bureau of personnel and pupil accounting, from whose office the above figures were obtained, this anticipated rapid enrolment increase has four urgent implications:

1.) A new comprehensive study of population trends and projections in the school district should be made soon (according to Adams such a study is being planned and should be completed by late October or early November).

2.) If proposals to enlarge the city of Jackson are soon to be consumated and such will result in the enlargement of the school district, the enrolment projections should include the added territory.

3.) A new appraisal of the use of existing school buildings should be made in view of school enrolment findings and forecasts, and

4.) Plans should be made to overcome the current lag in school building construction along with plans to provide long-range school building needs.

Despite a $6.5 million school construction program instigated in 1956, rapidly nearing completion, Adams infers the district will still be approximately 109 classrooms behind by January, 1960.

NEW CLASSROOMS NEEDED

If the current galloping trend continues, 55 additional classrooms will have to be provided annually to keep apace enrolments.

Temporary classrooms, such as the ones now being employed at Watkins Elementary School, will be utilized to help take up some of the slack, Adams said.

The rate of enrolment increase is based on the combined total enrolment of Jackson public schools, white and Negro, during the fourth month (month in which peak enrolment usually occurs) of each school year.

The fourth-month enrolment for 1954-55 stood at 20,123; for 1955-56, 21,725, an increase of 1,602 over the previous year. The fourth-month enrolment for terms 1956-57 and 1957-58 stood at 22,809 and 24,548, respectively, representing a one-year increase of 1,739 pupils. The peak enrolment during the present school year is expected to reach 26,206. This would signify an increase of 1,658 students over last year.

14d(1)

The current school construction program, which, according to construction director James Jenkins will exhaust $4.25 million local and nearly $2.5 million state allocated funds, is providing, or has provided, the following:... ..

HOW MONIES SPENT

1.) Three white elementary schools: Pearl Spann, Robert E. Lee, and Hillside Drive - Forrest Avenue. Spann was occupied September 8; consrtuction is 98 per cent complete. Plans and specifications for the other two are 50 per cent complete. They should be availavle for occupancy in September, 1959.

2.)One white junior high school: Chastain, Manhattan Road Northside Drive. Work has begun; building should be available for 1959-60 term.

3). Temporary classroom units (4) for Watkins Elementary School: Two are presently occupied. The others will be completed and occupied within the next several days.

4). One Negro elementary school: Mary Morrison, occupied September 8; 98 per cent complete, and one Negro junior - senior high school: Livingston Road, under construction and expected to be available next year.

5.) Alternations and additions to Lanier and Hill, junior - senior high schools for Negroes: construction nearing completion at both.

The remainder of current funds has gone for such as protective site lighting at several schools, Negro and white, and alternations and additions to the district warehouse and administrative offices.

While the school board has issued no statement concerning the matter, this writer was given to understand that future plans for the Jackson Separate School District will pursue the traditional "separate, but equal" policy, subject to alteration only if the federal government sets off the aforementioned time bomb.

AD REFUTES CHARGES OF NAACP MAN

Negroes Pleased With New School, Says Canton Paper

Jackson News

CANTON, Miss. (UPI) — White and Negro citizens of Canton regard NAACP criticism of a new half-million-dollar Negro school here as "utterly ridiculous and irresponsible," said the editor of the town's weekly newspaper today.

Jackson, Miss.

Phil Mullen, associate editor of the prize-winning Madison County Herald, said the best answer to a statement made yesterday by state NAACP Field Secretary Medgar Evers is a full page advertisement that was run in the Canton paper.

The ad, paid for by 37 Negro teachers and officials of the school that was dedicated Sunday, said: "Members of the faculty and staff of Rogers Junior - Senior High School express their pride in, and appreciation for the spacious and modern facilities which challenge us to do our very best work."

Evers charged that "Negro citizens will not accept as satisfactory this frantic makeshift school program which is designed as an answer to the supreme court decision."

P. 1

He said the modern new school —largest for Negroes in the state —is "ill-equipped and according to officials is overtaxed with students." School officials said Sunday there are about 1,200 students now enrolled but the building can accommodate 1,500.

Evers, in obvious reference to the Negroes who joined in the dedication, said, 'Those Negroes who aid in keeping other Negroes in the deplorable condition under which we live here in Mississippi should be singled out for what they really are — profiteers at the inhuman expense of their fellow man."

Dedication Held At Negro School

1,500-Pupil Structure Built For Madison Countians

14d(1)

IT'S LARGEST IN STATE

By United Press International

CANTON, Miss. Oct. 26. — Mississippi's largest Negro school building was dedicated here Sunday as a symbol of the state's hope of remaining in the public school business.

Commercial Appeal
Memphis, Tenn.
10-27-58

About 1,200 whites and Negroes attended dedication ceremonies in the $500,000 senior-junior Rogers High School, a modernistic structure which sprawls over a large portion of what was a cow pasture.

Built Under State Plan

It was built under Mississippi's school equalization program, which was designed to bring all public schools in the state, white and Negro, up to par. The building replaces a number of substandard structures and two-teacher classrooms over half of Madison County.

Mississippi's white leaders have said that with recent Supreme Court decisions the state's only hope of retaining public schools is through a system of voluntary segregation. The gleaming new structure, dedicated Sunday, is the chief means of keeping Negroes in their own schools.

The building, which will accommodate about 1,500 students, has 32 classrooms, two libraries, three science laboratories, two vocational shops, a three-room suite for home economics classes, a cafeteria and a combination gymnasium auditorium that will seat 2,000 persons.

The school was named in honor of the Negro supervising principal of all Negro schools in Canton, A. M. Rogers, who has been serving in public schools here for a quarter of a century.

Negroes Conduct Program

Negroes conducted the dedication program, but members of the all-white Canton School Board and legislators were given seats of honor on the stage. Other white community leaders sat in the audience.

The chief speaker, Negro minister E. A. Mays of Jackson, said the new facilities were a sign that "someone has gone the extra mile in obtaining this new building."

B. M. Allen, superintendent of the aCnton School District, said the school will serve Negroes living in about half of Madison County, which has one of the largest Negro populations in the state.

About 3,000 students in all are being schooled in the Canton Public School District.

Gov. J. P. Coleman had been invited but could not attend.

Desegregation For Mississippi Urged

Youth Council Members Queried By Grand Jury

1484

By ALBERT ANDERSON

JACKSON, Miss. — (ANP) — Mississippi this week was brought back into the integration-of-schools-battle when the state NAACP issued a warning to the Negroes of the state urging them to "press for immediate integration."

With the eyes of nation centered on Arkansas, Virginia and Florida, the hot spots in this desegregation war little attention or pressure has been brought to bear on Georgia, Mississippi and the other southern states.

The NAACP - statement from headquarters said that the Negroes had another alternative "to face the continued indignities and harrassment meted out to our young people."

The statement cited a recent incident where six members of the Laurel (Miss.) Youth council of the NAACP were questioned by the grand jury last week "without just cause as if they were dangerous criminals." "Those responsibile for the heinous crime should be condemned." the NAACP said.

p 4

Sat. 10-4-58

STENNIS DEFENDS CLASSES

Opposes Church School Taxation

Daily News

DEKALB, Miss. (AP) — Sen. John Stennis (D-Miss.) today opposed possible federal income taxation of churches that conduct segregated classes for students of closed public schools.

Stennis wrote his opposition to Commissioner Russell C. Harrington of the Internal Revenue Service.

He referred to a recent Internal Revenue statement that churchs in Arkansas and Virginia which opened classes for public school children might lose their exemption from income tax.

Jackson, Miss.

The churches opened classes after public schools were close to prevent integration.

In his letter, Stennis said the fundamental constitution question of separation of church and state is involved and the tremendous spiritual influence by churches would be disregarded if they were to be harrassed by tax collectors.

"It would be a tragic mistake if the local religious institutions were to lose their present exempt status," Stennis wrote.

p 1

"This must not happen because, in an emergency, facilities were made available for the continuing secular education of children in communities where public schools are closed."

Stennis said he was not referring to any particular religious denomination nor to any particular community.

Mississippi, and most southern states, have laws permitting public schools to be closed as a threat against racial integration.

State's Last Ditch Segregation Plan May Be Nullified

Legislature Enacted Law That's Hit By LR Ruling

By JOHN HERBERS
United Press International

JACKSON (UPI) — In 1954 Mississippi put in its Constitution a "last resort" provision for maintaining school segregation.

It was an amendment authorizing the Legislature to provide for sale or lease of public school buildings to private concerns and to appropriate money to individual children to attend private schools.

1484

The officials who wrote the amendment promised that it woud not be used until every other means had been exhausted, but they figured that despite its drastic nature it would be legal. At any rate it would take a number of years for it to be tested by the U.S. Supreme Court, they thought.

After the high courts ruling on the Little Rock situation, those same officials are taking another look at the amendment. They are awaiting the outcome in Little Rock before making a firm evaluation, but it appears that the court has in effect wiped out the "last resort."

p 1

Mississippi's Amendment says the Legislature "shall be and is hereby authorized and empowered to enact suitable legislation to dispose of school buildings, land and other school property by lease, sale or otherwise . . . the Legislature may appropriate state funds and authorize counties, municipalities and other governmental subdivisions and districts to appropriate funds, including poll tax and sixteenth section funds, to be aid educable children of this state to secure an education."

The Supreme Court said that states are forbidden to "use their governmental powers to bar children on racial grounds from attending schools where there is state parcipitation through any arrangement, management, funds or property."

Mississippi officials feel that the Supreme Court still cannot bar the state from selling its school property outright and it cannot make the states operate public schools. But plans to lease buildings to private corporations, appropriate funds to students and have some degree of control over private schools apparently are out.

Not Bright Picture

That does not leave a very bright picture.

Even before the latest decision Gov. J. P. Coleman warned that "all could be lost" in the federal courts. Coleman's statement indicated he believes Mississippi would have no public school system before she accepted integration.

No suits have been filed in Mississippi for integration. Coleman said whether the state has public schools in the future may depend on whether the voluntary system of segregation continues.

14d(1) 1958

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SCHOOL FUNDS BILL LOSES BY ONE VOTE

Appeal, P.1

Mississippi House Action Considered Personal Defeat For Coleman

By KENNETH TOLER

From The Commercial Appeal
Jackson, Miss., Bureau

Memphis, Tenn.

JACKSON, Miss., March 13.— Gov. J. P. Coleman met defeat in the House Thursday in his efforts to pass a measure which would provide more than four million dollars for schools.

It was a personal set back for the Governor, who had taken active command of administration forces seeking to put across the twice defeated measure.

14d(1)

Won't Bypass Committee

The House beat down a proposal to remove sales tax exemptions from consumers of public and municipal power, water and gas services by one vote. It then refused for the second day to bypass the Ways and Means Committee for immediate floor consideration of a seven per cent surtax on big business, to raise another $3,500,000.

Earlier, the Ways and Means Committee had rejected a Senate-approved surtax of 12 per cent to replace a present 14 per cent levy which automatically expires June 30.

Fri. 3-14-58

After the double action the House adopted a resolution calling on the Budget Commission to carve five million dollars out of recommended appropriations for schools. The Budget Commission also was asked to reappraise an estimated 24-million-dollar surplus expected June 30 in view of statements it will be higher.

Governor Coleman had personally handled the movement to seek the added funds for the school program. He stayed up until 1 a.m. Thursday contacting House members in support of the bill.

Coleman At Session

Thursday morning, he worked the House chamber and sat in on the afternoon session to personally witness defeat of his efforts.

Later, in a press conference, the Governor said, "The House has voted five times this week in an effort to raise the revenue for the school program."

"So far, these revenue bills have been, in the main, defeated by those who voted for the highest possible figure in the school program," he said. "The money to run the school program is not being defeated by those who have previously been opposed to the administration on other subjects."

"I have done my very best to get the revenue bills passed through the House. It is obvious it will now take nothing short of a miracle if the school teachers, the children and the people are to get a school program out of the House of Representatives.

"So far as I am concerned I will continue to do my best to raise the money, although I do not know where it is coming from."

P. 8

Waits Commended

Governor Coleman commended Chairman Hilton Waits of the Ways and Means Committee for permitting the co-op-municipal tax bill to be called up after his committee had voted to delay its reconsideration until next week. Mr. Waits, out of deference to his committee majority, did not vote on the bill. If he had, it would have passed by the lone vote [illegible]

Appeal

The Governor also expressed appreciation to Representative Sam Lumpkin of Lee County, who had previously voted against the bill, for [illegible]

Memphis Tenn.

The Governor said he will not sign the school program "unless the money is here to pay for it."

"I don't think the teachers would want to receive a check worth 50 cents on the dollar, which would be the case without adequate finances for the program," h said. "That's what we are up against if we don't finance the program."

Representative John Farese of Benton County offered the seven per cent surtax bill after the other measure had been defeated, 75 to 51. It needed 76 votes, or three-fifths, for passage of a revenue measure.

Overwhelming Vote

The House voted overwhelmingly against going in committee of the whole on the second measure.

Representative Blaine Eaton of Smith County, manager of the state office of the Rusal Electrification Authority, and Representative E. B. Livingston of Scott County, educational director for one of the electric co-ops, led the fight against the bill, which would have subjected the public power consumers to the three per cent sales tax paid by those on private power lines.

Fri. 3-14-58

The REA consumers would have been relieved of an exemption of $970,000 in the biennium commencing July 1, and those of municipal power and water plants, $800,000. The bill also changed the collection of sales tax on beer and gasoline from the retail to the wholesale level, for an estimated pickup of two million dollars now essertedly lost to the state.

Representative Eaton charged there had been "trading and trafficking by people in high places to bring up the bill. At the time of his statement, Governor Coleman was seated in the rear of the chamber.

Passage Urged

Representative Gorge Payne Cossar of Tallahatchie County, chairman of the anti-administration House caucus of a majority of the House members, urged pasasge of the co-op-municipal tax bill. He said osem of the more than 10 million dollars in exemptions now provided under the sales tax should be removed.

Representative Corbet Patridge of Leflore County, and administration supporter, opposed the bill, asserted it would "ruin the small farmers."

MISSISSIPPI

Shut-School Barrier To Integration Voted By Mississippi Senate

POWER IS GOVERNOR'S

Bill Also Covers Colleges —Goes To House After Unanimous Approval

14d(1)

By KENNETH TOLER

From The Commercial Appeal
Jackson, Miss., Bureau

JACKSON, Miss., April 7. — The Mississippi Senate voted unanimously Monday to give the Governor authority to close any public school or college on threat of integration.

Commercial Appeal P.1 Tue. 4-8-58

The bill, which remains for House action, also vests power in the Governor to act in event Federal troops are employed to force integration of the state's racially segregated educational institutions.

Senator George Owens of Pontotoc, chairman of the Education Committee, called up the proposal in the routine handling of his calendar. The title was read by Asst. Secty. Bob Brown, and Senator Tom Williams of Lexington moved that it be passed on the afternoon roll call.

Memphis Tenn.

Passes Without Debate

The bill went through without being read in its entirety and without debate. It was introduced by Senator George Yarbrough of Red Banks.

Although the proposal makes no mention of integration or the use of troops, it is designed for those purposes.

The bill states the Governor is to act "when, in his discretion, he determines such closure to be to the best interest of a majority of the educable children of any school or college or to the best interest of a majority of the children or persons eligible to attend said institutions".

Closure of any or all of the educational institutions would be effectuated by a proclamation issued by the Governor. The institutions will remain closed until he orders them reopened.

Salaries of teachers or faculty members will continue during the period of closure, as will their retirement credits.

"Upon and during the closure, the students affected may be assigned or transferred, as the case may be, to another school or district," the bill states.

The time during the closure is not to be deducted from the period for which the institutions are required to be operated in any scholastic year.

"During closure, no person will be allowed to go on the properties without permission or approval of the Governor." Those violating that section will be subjected to a maximum fine of $500 and-or imprisonment in the county jail up to 30 days.

Arson Bill Approved

The Senate also approved a House bill increasing penalties for arson of any state-supported school building by fire or explosion. It raises the crime from second to first degree arson with a maximum penalty of 20 years in prison.

Sponsored by Insurance Commissioner Walter Dell Davis, the proposal declares those who accidentally set fire to a school or witness the act without giving a general alarm or reporting the fire, shall be guilty of a felony. The sentence is not less than two nor more than 10 years in prison.

Six school fires with an estimated loss of two million dollars within the last few months promoted introduction of the bill. A companion measure, yet to be considered, authorizes Commissioner Davis to offer a $500 reward for information leading to conviction of any school arsonist.

Anti-Mix Power Given Governor Of Mississippi

14d(1)

JACKSON, Miss. (AP)—The Mississippi Legislature has armed the governor with authority to close any or all public schools as a means of preventing racial integration by force.

Sponsors of the bill, which Gov. J. P. Coleman signed into law Tuesday, said it was designed to prevent the use of federal troops to integrate Mississippi public schools.

Advertiser P.5-A

They cited the use of troops around Central High School in Little Rock, Ark., last year.

There was no debate or discussion on the bill, normal procedure for bills designed to help the state preserve its segregated way of life.

Thurs. 5-8-58

The bill authorizes the governor to "close any one or more or all schools of any or all school districts, agriculture high schools, junior colleges and institutions of higher learning when . . . such would be to the best interests of the district or the state . . . or to promote or preserve the public peace, order or tranquility."

Montgomery Ala.

The bill also provides for education of children assigned to schools that are closed.

Mississippi Segregation Bill Could Close All Schools

Jackson, Miss., April 8 (AP)— Any or all Mississippi schools and State-supported colleges could be closed by a stroke of the Governor's pen under a bill apparently certain to pass the Legislature.

Courier Journal

The bill, obviously aimed at preventing racially integrated schools under Federal court orders, passed the Senate yes-

Wed. 4-9-58

terday without a word of debate or explanation.

It was introduced by Senator George Yarbrough of Red Banks, author of a series of measures to strengthen segregation in Mississippi.

Could Reopen Schools

Louisville, Ky

The Governor could close schools by proclamation under the bill, "when, in his discretion, he determines such closure will promote or preserve the public peace, order, or tranquility in and of such institutions, or the community in which such may be situated or in or of the State of Mississippi."

He also could issue another proclamation opening closed schools.

Still pending in the Legislature is a series of bills and constitutional amendments of much wider scope authorizing the districts themselves to close schools on a district basis and providing for education in a so-called private system with public funds.

The Yarbrough bill slipped through the Senate in a matter of minutes. As soon as Senator George Owens of Pontotoc called it up, Senator T. M. Williams of Lexington suggested passage of noncontroversial legislation by voting every member present in favor of the bill.

The bill prohibits any persons trespassing upon the property of a closed school without the Governor's permission. Violators could be fined up to $500 or jailed for 30 days, or both.

Students of a closed school could be transferred to another school or district. Salaries of teachers, superintendents and other personnel could continue while a school is closed, being paid from the usual funds.

Campbell Bid Low For Magee Negro School

Jackson News

Thurs. 6-19-58

MENDENHALL, Miss. (Special)—A bid of $178,866 for the construction of a new Magee Colored High School submitted by Campbell Construction Co., Jackson, is being considered by the Simpson county board of education before final award is made. Second low bid was Thompson and Yeager, Raleigh, at $179,022, and third low, M. M. Lockard Jr., Meridian, $183,700

Jackson Mississippian

Plans for the building were prepared by E. L. Malvaney and Associates, Jackson.

P. 32

Everett Electrical Co., Magee, was low bidder on electrical work with a bid of $10,910.

Bethea Plumbing Co., Laurel bid a low of $32,350, for mechanical work with Standard Plumbing Co., Jackson, second with $32,696 and D. W. Young, Jackson, third with $33,256.

Board Is Named In School Study

Commercial Appeal

Memphis Tenn.

Mississippi House Group To Review Accreditation

Wed. 7-9-58

RANKIN CASE IS CITED

P. 1

From The Commercial Appeal
Jackson, Miss., Bureau

JACKSON, Miss., July 8.—A seven-member House Recess Committee to "examine the underlying philosophy and policies concerning the accreditation of public schools and the certification of teachers" in Mississippi was named Tuesday by Speaker Walter Sillers of Bolivar County.

1440

Those named were Representatives J. P. Love of Holmes County, Albert Gardner of Yazoo County, Jimmy Morrow of Rankin County, Dan Guice of Harrison County, C. B. Newman of Issaquena County, and Dennis Baker of Panola County. Date for the organization meeting has not been set.

Vetoed At Last Session

The House inquiry was voted at the recent 1958 session after the Senate refused to make it a joint affair.

It followed action of the State Accrediting Commission in removing the Pearl School in Rankin County from the accredited list shortly before the June graduation exercises. However, on protests from patrons, the commission amended its order to become effective after graduation so as not to affect this year's graduates.

The action in the Rankin County case assertedly stemmed from a controversy between the school board and the superintendent and did not involve the curriculum or the student body.

No Official Status

The accrediting comission has no official status, but is named by the Mississippi Education Association. Mississippi is one of two states which does not have an official accrediting agency under the state department of education.

The Recess Study Commission is given "full, complete and plenary authority to make the study and investigation and is empowered to subpena and examine witnesses, the production of any paper or document and to order the attendance of witnesses."

Willful refusal to appear before the investigators or to produce records requested subjects the party to a fine or imprisonment "in the discretion of the committee."

Perjury Is Risk

Under the resolution creating the committee any witness "who shall willfully and corruptly testify falsely to any material fact shall be guilty of perjury and subject to prosecution and punishment therefor as provided by law."

The House set aside $9,000 for expenses of the recess committee which is authorized to employ clericial and professional assistants and technical consultants.

Ruling Of Court Affects Students

Commercial Appeal

Mississippians Can't Attend School Outside Districts

P. 17

ONLY IF BOARDS AGREE

Memphis Tenn.

By United Press International

JACKSON, Miss., June 9.—The State Supreme Court ruled Monday that under Mississippi's new school law a student cannot attend a school outside his district without permission of his school board.

Tues. 6-10-58

The Winston County Board of Education filed suit in Chancery Court against the Louisville separate school district for accepting 75 students in the Louisville school, even though they paid their own transportation and a tuition fee.

Injunction Issued

The court issued an injunction requiring them to attend school in the district where they live and the high court affirmed the decision.

Justice Robert Gillespie said it was a hardship for students who had been attending one school to transfer under the school reorganization program which went into effect last year. But he added:

"The approval and consent of both school districts is necessary to legally transfer a student or students from one school district to another."

The Louisville district, he added, "could not lawfully accept and enroll such students and permit them to attend school in Louisville. This is the plain intent of the Legislature and the court cannot ignore it."

Can't Go Back

Justice Gillespie said the 75 students had completed the 1958-59 school term at Louisville while the case was on appeal but they could not go back next term.

After Monday's session the Supreme Court began its summer recess. The next sitting will be Sept. 9.

Other decisions handed down Monday:

By Justice Ethridge:

Robert E. Mendrop, et al vs. Henry W. Harrell, et al; Chancery, Warren; reversed on both direct and cross-appeals, judgment rendered here for appellants, and cause remanded.

Leroy A. Poole vs. Emmettee McCarty, et al; Chancery, Smith; reversed and remanded.

Mrs. Ann Arrington Ford, et al vs. Mrs. Blanche Noah Rhymes, et al; Chancery, Lawrence; reversed and judgment rendered for appellants.

By Justice Arrington:

Yellow Cab Company of Biloxi, Inc., D. B. A. Checker Cab Company of Biloxi, by James C. Duke Jr., vice president and general manager vs. Checker Taxicab Owners Association; Chancery, Harrison; affirmed.

A. L. McElveen vs. H. S. McElveen, et al; Chancery, Amite; affirmed on direct appeal, reversed and judgment here for appellees on cross-appeal, and remanded.

Mrs. Bernadette Ellis vs. Southern Farm Bureau Casualty Insurance Company; Circuit, Harrison; affirmed.

Mrs. Hattie Lewis, widow of Joe Lewis deceased, and Dillard Wayne Lewis and Ann Lewis, minors, vs. Trackside Gasoline Station & Pacific Indemnity Company; Circuit, Forrest; reversed and judgment rendered here for appellants, and remanded, Justice Gillespie concurring.

By Justice Holmes:

Arthur Horne, D. B. A. Horne Plumbing, Electric & Supply Company vs. state Building Commission & Western Casualty & Surety Company; Chancery, Hinds; affirmed on direct appeal of appellant Horne, and on cross-appeal of Western Casualty and Surety Company; reversed as to that part of the decree below allowing the state Tax Commission's claim and judgment rendered here denying said claim; motion for additional attorney's fees sustained.

Mrs. Willie Smith Lagrone vs. Harry D. Helman, D. B. A. Mississippi Nursing Home; Circuit, Hinds; affirmed.

By Justice Kyle:

Estate of Edward J. Collins, deceased, L. T. Wisdom, Exec. vs. S. M. Dunn, et ux; Chancery, Hinds; affirmed in part, modified and affirmed in part, and judgment rendered and cause remanded, Hall, Lee and Arrington dissenting. Gillespie concurring in part and dissenting in part.

Mrs. Josephine Goodnite vs. Farm Equipment Company & National Surety Corporation; Circuit, Tunica, reversed and remanded.

Mrs. Winnie Robbins Muse vs. Mississippi State Highway Commission; County, Hinds; affirmed.

Samuel Jackson vs. Joe Morris and Willie Washington; Circuit, Sharkey; affirmed.

By Justice Lee:

Vernon Gibson vs. A. P. Lindsey, Distributor, Inc. and Carroll C. Westbrook; Circuit, Hinds; reversed and judgment here on direct appeal; affirmed on cross-appeal.

Green Truck Lines, Inc. vs. James F. Hooper, et al; Circuit, Lowndes, affirmed.

By Justice Hall:

Bennett Association of Railway Employes vs. Mrs. A. W. Harrison, guardian of Gelene Gipson; Circuit, Newton; affirmed.

Mrs. M. A. Hollifield, et al vs. Joseph M. Perkins, et al, Chancery, Jones; affirmed.

By Justice Roberds:

Erlene Parker and T. B. Corley vs. Otia Ainsworth; Chancery, Jones; affirmed.

James Howard Smith vs. State; Circuit, George; affirmed. Gillespie, Kyle and Arrington dissenting.

By Chief Justice McGehee:

Annie Laurie Patrick vs. W. B. Myers, et ux; Chancery, Hinds; reversed and judgment here for the appellant.

Percy May vs M. C. Johnson; Circuit, Adams; affirmed.

Jack B. Garnett vs. Associates Discount Corporation; Circuit, Clay; affirmed.

W. E. Harreld & Harreld Chevrolet Co., a corporation vs. Mississippi State Highway Commission; Chancery, Hinds; affirmed in part, and reversed in part, both on direct and cross-appeals, and judgement here accordingly.

P. L. Lott vs. Universal C. I. T. Credit Corporation; Circuit, Lauderdale; motion to dismiss appeal of appellant sustained.

COLEMAN ASKS SCHOOL STAND

Preserve Model of Tranquility, He Urges

1440

(The Times-Picayune Capital Bureau)

JACKSON, Miss.—Gov. J. P. Coleman, in light of the supreme court decision on the Little Rock school case, Saturday called on white and Negro Mississippians to preserve the state as a "model of tranquility" on school segregation.

"If we entangle our schools in the federal courts," he declared, "nothing can be gained and it is possible that all could be lost."

Times-Picayune

No court, he said, "not even the United States supreme court," can pay taxes to support a public school or operate a school.

Sun. 9-14-58

"Unfortunately, the courts have now proven that they can destroy a school," he asserted.

PROMISES BEST INTEREST

New Orleans La.

"The governor of Mississippi has promised to operate the schools of this state for the best interest of all children," he said.

"This means that each race will have its own schools, each race will have its own teachers; and each race will march forward with pride in its own accomplishments."

P. 18

Coleman said there is "nothing inferior" in such a school program. The "undisputed purpose," he said, "is that every child shall have a real opportunity to obtain a good education."

The Mississippi governor said his "heart goes out to my fellow governors who have had this problem (school integration) thrust upon them."

He said he sincerely hoped they "will soon be blessed with solutions to these heart-breaking situations."

Speaking of Mississippians, Coleman said he was "both thankful and proud" that white and Negro people "have conducted themselves with consideration and restraint."

"I am likewise thankful and proud that all have steadfastly refused to embroil themselves and their children in needless educational tragedy.

"I am glad that all have placed the higher value on education rather than on lawsuits, strife and discord."

Taxpayers in the state, he said, have supported the minimum foundation school program for both races and have contributed "huge sums of money for schools and school buildings" for both races.

'WITHIN OWN SPHERE'

"I am calling on all our people, white and Negro, each to do his best, each in his own way and each within his own sphere of daily influence, to preserve this happy state of affairs," he asserted.

"Then we shall be able to continue to build new schools, while at the same time we improve teacher pay and provide a good education for every child within our borders."

Coleman concluded: "In the spirit of calmness and confidence, let us keep our poise and dignity."

14d(1) 1958

MISSISSIPPI

Contracts Signed For Negro School

Daily News, P 3
Jackson, Miss.

Jackson will get a new million dollar high school for Negroes by late next year.

W. M. Buie, president of the Board of Trustees of the Jackson Municipal Separate School district, said contracts to begin designing the new school were signed yesterday.

Fri. 1-3-58

He said the new school will be constructed on Livingston Road with facilities for both junior high and senior high students.

COST IS $1,337,750

Cost of the building was estimated at $1,337,750. The State Educational Finance Commission was expected to furnish $550,000—the first funds allocated from the $10 million in bonds sold last October to finance a giant school equalization program in the state.

Architects said plans for the building will be ready for bidders early in April. James G. Chastain III, director of city school construction, said the building is scheduled for completion in Sept. 1959, in time for the 1959 - 1960 school year.

14d(1)

Chastain added the new school is the largest unit in long-range planning for equalization of school facilities for Negro and white students in Jackson. It will house 1,400 students, Chastain said.

He said it will include facilities for general classrooms, science rooms, separate auditorium and gymnasium, lunchroom, library, audio-visual rooms, movies and a fine and commercial arts division.

Framework will be of light steel with brick non-load bearing walls inside and out. Basement rooms are to be constructed of re-inforced concrete.

Architects for the building are William R. Allen Jr., and Jones and Haas.

SCHOOL BILL KILLED; CALLED COMPROMISE

Commercial Appeal

Authorized Separation Of Boys And Girls

Memphis, Tenn.

From The Commercial Appeal
Jackson, Miss. Bureau

JACKSON, Miss., Jan. 24. — Rather than "give the impression" Mississippi would compromise its determination to abolish public schools before permitting integration, the House of Representatives Friday killed a bill which would have authorized separate education of boys and girls.

14d(1)

Sat. 1-25-58

Representative John French of Panola County led the fight against the bill offered by Representative Elmo Anderson of Madison County. Mr. Anderson had said his bill was designed to prevent school integration.

P. 16

"The idea may be good, but if we pass such a bill it could be taken as an indication we would back down on our firm stand to prevent integration, even if it becomes necessary to close our schools," Representative French said. "This bill would be considered a compromise and a weakening of our position."

Representative Maurice Black of Carroll County asked what would be done about separation of sexes in school buses.

The bill was returned to the Education Committee.

Mississippi has a voter-ratified amendment to the Constitution authorizing closing of public schools if integration is attempted.

Pending in the Senate is a bill by Senator Earl Evans Jr. of Canton to call for immediate suspension of any school in which Federal troops are called in to force integration.

Bill Would Boost State Segregation

Daily News - Jackson Miss
Thurs. 1-23-58

Constitutional Amendment Is Proposed By Sen. Alexander

P. 1

By DOUGLAS STARR
Associated Press Writer

A Delta senator has asked the Legislature to erect another barrier to integration by repealing the constitutional provision requiring segregated public schools.

The provision is now looked upon as a weakness because it has been the basis for overthrow of several states' school segregation statutes.

14d(1)

Meanwhile, the Senate voted 24-17 to create a joint legislative council and the House approved an 81-million dollar appropriation —the largest single appropriation in state history—for public schools during the next two years.

The education bill did not include teacher salary increases planned by some legislators, who are expected to offer changes in committee.

Sen. W. B. Alexander of Cleveland introduced the proposal to amend the constitution by removing the requirement for segregated schools.

LONG PROCEDURE

Under legislative procedure the measure must be approved three times in each house, ratified by a general election and inserted in the constitution by the next Legislature.

Gov. J. P. Coleman has said similar constitutional provisions and laws have been the basis for invalidation of segregation laws of some states.

Last fall he cited the segregated-schools provision as one reason the 1957 special session should call a constitutional convention. His convention bill lost.

In other action yesterday, Rep. Dave Womack of Hymphreys County scored Rep. John Kennedy of Marshall County for saying publicly some lawmakers were overpaid for committee work and for criticizing what he called the Legislature's "closed committees and secret caucuses."

Kennedy, who wrote the law which reformed Mississippi's loosely-enforced marriage rules, immediately introduced two bills designed to open legislative committee meetings to the public and newsmen.

RIGHT-TO-KNOW

Earlier, Rep. Karl Weisenburg of Jackson County said he plans to introduce a right to know bill patterned after a successful Connecticut law but has found mounting resistance to such legislation.

The youthful Kennedy, a University of Mississippi law student, told a Parent-Teacher Assn. meeting last week that some legislators have been paid $3,000 to $4,000 a year for attending a dozen interim committee meetings.

P. 3

He charged that because he did not support Rep. Walter Sillers of Bolivar County in the speaker's race, he did not get good committee assignments.

Daily News

"You have grave reason for fear," he told the P-TA, "when it is possibl efor our Legislature to be controlled by pressure groups, by closed committees and secret caucuses."

Thurs.

Womack denied the accusations, saying they "reflect upon the integrity and honesty of each member of this house."

1-23-58

Rep. Russell Fox of Claiborne County called upon Kennedy to "name these gentlemen (who received the committee money) and let the Legislature require that they return the money."

The floor action against Kennedy followed a caucus in a downtown hotel the previous night during which some legislators reportedly urged that Kennedy be censured or expelled.

14d(1)

TEACHERS PAY DEBATE

The 81 million dollar school appropriation evoked considerable debate over teacher pay. House approval of the measure does not preclude lawmakers' increasing it to the 103 million asked by the State Department of Education for teacher pay raises and nine-month school terms.

Reps. John Farese of Benton County and Joe Wroten of Washington County asked repeatedly why teacher pay raises, if they are to be granted anyway, should not be written into the bill.

Rep. John Junkin of Adams County, Appropriations Committee chairman, explained the proper procedure is to pass the budget commission recommendation and then amend the bill.

Besides, he said, the House still doesn't know what other appropriations bills will be offered and the proposed 202 million dollar state budget allows only seven million dollars leeway.

Mississippi Plunging Ahead With Better School Plants

14d(1)

By NEIL SANDERS

Having completed the monumental task of reorganizing the state's school districts, Mississippi is plunging ahead with an even more ambitious project—the improvement and addition of school physical facilities.

Appeal B30

A survey by the Bureau of Public Administration at the University of Mississippi shows that since the school reorganization program was instituted in 1953, 147 applications for school building projects totaling $27,337,521 have been approved.

Thurs. 1-22-1958

The bulk of this, $21,650,225, is being spent to build and improve Negro schools, leaving $5,687,296 for white schools.

Under the school reorganization law, Mississippi contributes $12 annually for each child in average daily attendance and an additional $3 for each Negro child in an effort to equalize school facilities for both races.

Memphis, Tenn.

Six On Committee

Charged with administering the reorganization of school districts and making loans for construction of school buildings is the six-member Educational Finance Commission, which was created in 1953.

Their first task—reorganization of school districts in the 82 counties—was finished on June 18, 1957. When they started the reorganization program, there were more than 3,400 school districts in Mississippi. Now there are 151.

Twenty-five new buildings or additions in 12 counties have been completed since the school construction program was started. Eighty per cent of these were for Negro students. Here is a breakdown, by counties, showing schools completing new buildings or additions:

Carroll County — Black Hawk (Negro), Carrollton (Negro), Vaiden (Negro).

Covington County—Collins High (Negro), Seminary (white).

Forrest County — Hattiesburg Municipal Separate School District: 16th Section Elementary (Negro).

Third Ward Elementary (Negro), F. B. Woodley Elementary (white).

Hancock County—Bay St. Louis MSSD: Valena Jones (Negro), Bay St. Louis (white).

Hinds County—Jackson MSSD: Whitfield Elementary (white).

Humphreys County — Belzoni High School (Negro), Louise High School (Negro).

Other Counties Listed

Jasper County—East Jasper Consolidated School District: Northside Elementary (Negro).

Southside High School (Negro).

Jefferson County—Liddell High School (Negro).

Madison County — Canton MSSD: A. M. Rogers Elementary (Negro).

Stone County—Perkinston Elementary (white).

Tallahatchie County—East Tallahatchie CSD: High School at Charleston (Negro), Tippo Elementary (Negro); West Tallahatchie CSD: Glendora Elementary (Negro), Brazil Elementary (Negro), Philip Elementary (Negro), Tutwiler Elementary (Negro), West Tallahatchie High School at Sumner (Negro).

Yazoo County — Yazoo City High School (Negro).

Thirty-seven schools have been awarded building contracts, but construction is not yet complete. In all, 147 applications have been approved by the commission for 69 districts in 49 different counties.

$1,000,000 Negro School For Laurel

Leader Call p 1

Laurel, Miss., Feb. 3.—(Special)—Approval of the low bidder on contract for a Negro high school in Laurel which when completed, will cost approximately one million dollars, has been given by the State Educational Finance Commission and construction will get underway before the end of the week, D. U. Maddox, chairman of the Laurel board of education said Tuesday.

Jackson, Miss.

The school, named Oak Park, will replace a structure that burned more than a year ago. It will house grades one through 12, and will include the latest in equipment. The work order was issued Tuesday, Maddox said.

Sat 2-8-58

Segregation Bills Move Scheduled in Mississippi

Times Picayune

Coleman to Address Legislature Tuesday

New Orleans La.

JACKSON Miss., Feb. 23 (AP)—The Mississippi House this week is due to begin consideration of a series of measures designed to preserve segregation of the races in schools.

P 41

Most of them are proposed constitutional amendments, which must be approved by a two-thirds vote on three consecutive legislative days in both houses and then be ratified at the polls.

Mon. 2-24-58

The state's constitutional obligation to educate children would be repealed along with the requirement for separate schools. The authority and responsibility to educate children would be handed over to school districts, which also would have authority to abolish themselves for any reason they deemed sufficient—presumably to prevent integration.

The House comes back at 2 p. m. Monday and the Senate at 2 p. m. Tuesday. Gov. J. P. Coleman is scheduled to address a joint session of the House at 2:30 p. m. Tuesday, presumably in an effort to break the Senate-House deadlock on school teacher salaries and appropiations.

The Senate, generally considered pro-Coleman, has voted for teacher pay raises of up to $725 a year, to be financed partly by re-enactment of the surtax. But the Senate surtax bill has been killed by a committee in the House.

A special nine-member House committee has proposed a less ambitious school teacher pay program, financed by a series of new and raised taxes.

Three of the tax proposals are scheduled to reach the House floor Tuesday. One would raise from one to three cents the sales tax on pasteurized milk, producing $200,000; another would raise from four to five cents the tax on cigarettes, producing $2,680,000, and the third would provide for wholesale-level collections of the three per cent sales tax on beer and gasoline, providing two million dollars.

Just when the school segregation measures will be brought up has not been indicated by Rep. Thompson McClellan of West Point, constitution committee chairman. McClellan said that every House member got a copy of the series of bills last week and were asked to study them over the week end so that the House could take them up this week.

COMMITTEES REPORT SEGREGATION PLANS

School Closing Legislation Favorably Received

JACKSON, Miss., Feb. 19. — (UP) — A series of segregation measures — one to provide for closing of schools integrated by use of Federal troops — were reported out of House and Senate committees Wednesday.

Commercial Appeal

The Senate Judiciary Committee reported favorably a bill by Senator Earl Evans of Canton to authorize any new school district to close a school where troops were used to force integragtion.

P 48

The House Constitution Committee reported favorably a series of constitutional amendments and bills providing for abolition of public schools by local districts and establishment of a private system in order to maintain segregeation.

Thur. 2-20-58

The bills would implement the 1954 school abolition amendment which gives the Legislative authority to close schools on a state or district-by-district basis.

Memphis Tenn.

Local districts under the bill would close schools as they wish. State funds would continue to be allocated to the districts. But an "education aid board" consisting of the county superintendent of education and president of the school trustees would allocate the money to educable children attending the school, "the curricula of which is approved by the board."

The amendments would repeal sections of the Constitution requiring the state to maintain a public, segregated school system.

One amendement would write into the Constitution the provisions that local districts could levy their own taxes for operating schools without legislative authority.

Another would provide that the $2 poll tax would not have to be used for education purposes and that the county boards of supervisors could increase it to $5.

BOARD ACCEPTS BIDS FOR NEGRO SCHOOL

Greenville Lumber Company Low On Construction

Special To The Commercial Appeal

LEXINGTON, Miss., Feb. 23. — Bids totaling $221,041 have been accepted by the Holmes County Board of Education for construction of a modern Negro school at Durant, L. R. Thompson, superintendent of education, said. Greenville Lumber Company, with a bid of $169,000 was low bidder on the general construction contract.

Appeal P. 24

J. [illegible] Holt of Lexington, with a bid of $39,390, got the contract covering heating, plumbing, sewerage and water systems. McWhirter Electric Company of Louisville, Miss., won the electrical contract with a bid of $12,651.

Mon. 2-24-58

Two of the four bids submitted for cafeteria equipment were taken under advisement. These were the Commercial Equipment Company of Fort Smith, Ark., with a low bid of $3,557 and Westbrook Manufacturing Co. of Jackson, Miss., with a bid of $3,787. Quality of the equipment to be supplied will be the determining factor in the final bid accepted by the board.

Memphis Tenn.

Contractors are expected to start work on the project in two or three weeks.

FUNDS DISTRIBUTED IN SCHOOL PROGRAM

Appeal P. 31

$9,862,344 Allocated For Mississippi Projects

FOLLOWS BOND SALE

(1440)

By KENNETH TOLER

From The Commercial Appeal
Jackson, Miss., Bureau

JACKSON, Miss., March 7.—Projects totaling $9,862,344 under Mississippi's Negro-white public school building equalization program were approved Friday by the state Educational Finance Commission.

Memphis Tenn.

The allocations followed Thursday's sale of 20 million dollars in school bonds at the record low interest rate of 2.8 per cent.

Louis Alford of McComb, commission chairman, said the projects thus far approved total $37,240,503. The funds are for 196 projects in 86 of the 151 reorganized school districts in the 82 counties.

Sat 3-8-58

Final cost of the program has been estimated at 120 million dollars by the state Department of Education. About 75 per cent of the allocations made have been for Negro schools.

Of the latest allocation, the amount going to Negro schools totals $8,768,909. The white schools received $1,093,435.

The allocations by counties for Negro schools were:

Washington Counyt—Greenvill eSeparate District, Coleman Junior-Senior High, $57,180; Lucy T. Webb Elementary, $61,965.

Tate County High School, $332,927; Senatobia Separate School District Junior-Senior High, $186,139.

Prentiss County—Baldwyn Separate District High School, $180,500.

Monroe County—Aberdeen Separate District, Vine Street Junior-Senior High, $255,000; Amory Separate District, Monroe County High, $259,083.

Leflore County High, $600,000.

Sunflower County—Indianola Separate District, Carver Elementary, $103,285.

Coahoma County—Clarksdale Separate District, Higgins Junior-Senior High, $18,975; Higgins High Vocational Building, $[illegible],037; Myrtle Hall No. 1 Eelementary, $43,200; Myrtle Hall No. 3 Elementary, $22,306.

Calhoun County—Bruce High, $168,750.

Attala County—Kosciusko Separate District, Southside Elementary, $162,000; Attala County Training, $4,800.

Lauderdale County — Middleton High, $[illegible],000; Meridian Separate District, Magnolia Park Junior High, $450,000.

Quitman County High, $400.00.

Sharkey County—Anguilla Line Consolidated, Anguilla Elementary, $13,000; Sharkey-Issaquena Line Consolidated, Rolling Eork Elementary, $100,857.

Holmes County—Lexington High, $500,000.

Noxubee County—Shuqualak Elementary, $193,710.

Yazoo County—King Elementary, $105,000; Lindwood High, $225,000.

Choctaw County High, $225,000.

Madison County—Madison Rosenwald High, $236,250.

Leake County—Conway High, $240,958.

Forrest County—Hattiesburg Separate District, Royal Street Junior-Senior High, $129,506.

Hinds County—Bolton Elementary-Junior High, $217,072.

Rankin County—McLaurin High, $355,000; Pelahatchie Elementary, $73,898.

Copiah County—Hazlehurst Separate District, Parrish High, $513,718.

Claiborne County Training School, $400,000.

Greene County Vocational High, $300,000.

Simpson County—Magee High, $323,500.

Harrison County—Turkey Creek High, $256,290.

Wayne County High, $377,000.

Allocations for white schools included:

Tishomingo County—Burnsville High, $165,580; Tishomingo High, $97,985.

Washington County—Greenville Separate District, Greenville High, $110,011.

Lee County—Tupelo Separate District, Lawhon Junior High, $79,620.

Choctaw County—Ackerman Elementary, $69,000.

Lowndes County—Caledonia High, $32,850; New Hope High, $41,182.

Hinds County—Clinton Boulevard Elementary in Jackson, $67,500.

Pike County—McComb Separate District, Otken Elementary, $193,000.

Jackson County—Moss Point Separate District, Escatawpa Elementary, $180,855; Charlotte Hyatt Elementary, $55,862.

Negroes To Reject Mississippi Setup

Won't Accept School Program, Says NAACP Official

Commercial Appeal

JACKSON, Miss., Oct. 27. — (UPI) — A spokesman for the NAACP said Monday Mississippi's school construction program will not be accepted by Negro citizens as an answer to the Supreme Court decision on integration.

Memphis Tenn.

State field secretary Medgar Evers issued the statement following dedication of the largest Negro school in the state at Canton Sunday.

"Negro citizens will not accept as satisfactory this frantic makeshift school program which is designed as an answer to the Supreme Court decision," Evers said.

Tue. 10-28-58

He said the modern new school is "ill-equipped and according to officials is overtaxed with students." School officials said Sunday there are now about 1,200 students in the school but it is designed to accomodate 1,500.

P. 28

Evers, in obvious referene to the Negroes who joined in the dedication, said "thoes Negroes who aid in keeping other Negroes in the deplorable condition under which we live here in Mississippi should be singled out for what they really are — profiteers at the inhuman expense of their fellow man."

14d(1) 1958

MISSISSIPPI

New $350,000 School Readied For De Soto County Negroes

Appeal
Memphis Tenn.
Sat. 6-21-58

By RICHARD ALLIN
Staff Writer

HERNANDO, Miss., June 20.—When school opens in De Soto County next fall, Negro students at Hernando will attend classes in a new $350,000 school building.

14d(1)

Hernando Central School, now nearly complete, is part of De Soto County's million-dollar-plus program which will result in every Negro child in the county attending classes in a superior school building.

Already, contracts have been let for a school of equal size and cost at Walls, Miss. Bids have been taken for another similar school at Olive Branch.

Progress Is Recent

R. E. Rutherford, De Soto County superintendent of education, said school officials are shooting for a year from September as opening date for the Walls and Olive Branch schools.

A little more than three years ago, De Soto County had no Negro high school buildings. Less than two years ago, Negro students in the county attended one of 83 separate schools.

Most Substandard

While each of these 83 buildings was within walking distance of the pupils who attended it and many were of concrete block construction, most were of substandard quality.

Last year, the number of Negro school buildings in the county had been reduced to 26. Before two more years pass, all Negro children will go to school in some of the most modern school buildings in the country.

More Spent On Negroes

De Soto County has nearly two Negro students for every white student. As in the rest of Mississippi, more is being spent on its Negro students than on its white.

Plans for improvement of white schools include mainly the addition of a total of 30 class rooms to its three existing schools at Hernando, Olive Branch, and Horn Lake.

Used As Churches

Last year, Negro students in the City of Hernando went to classes in four substandard buildings. Only one of these was built to be a school. The other three are Negro churches, which on Sunday are used for services.

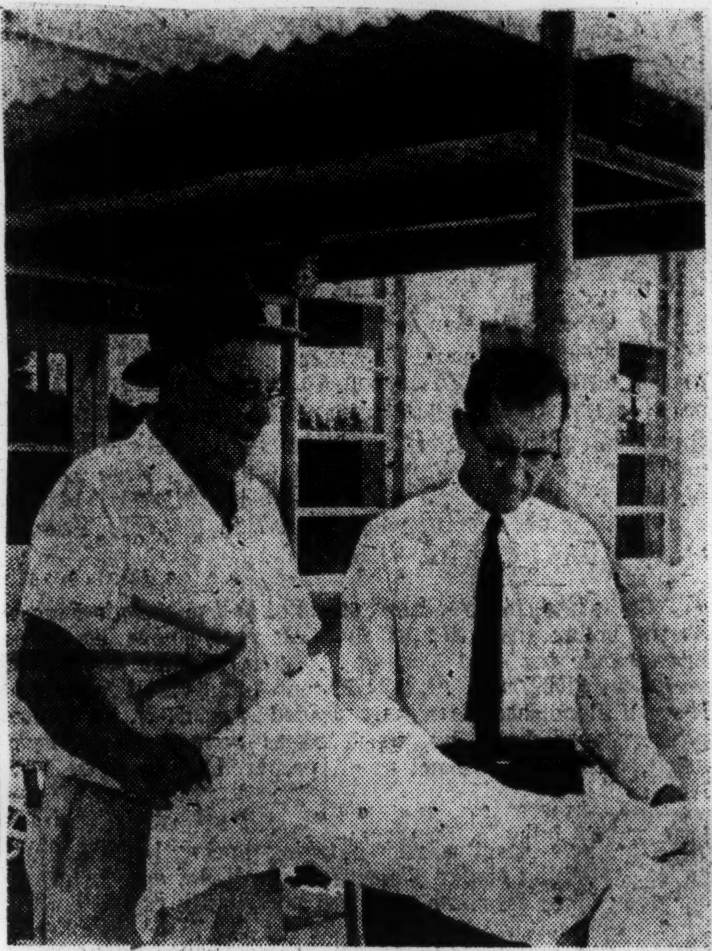
The new Hernando school will end all this. Mr. Rutherford said nothing which is necessary to an adequate school has been omitted at the new building. Many extras have been added.

30 Class Rooms

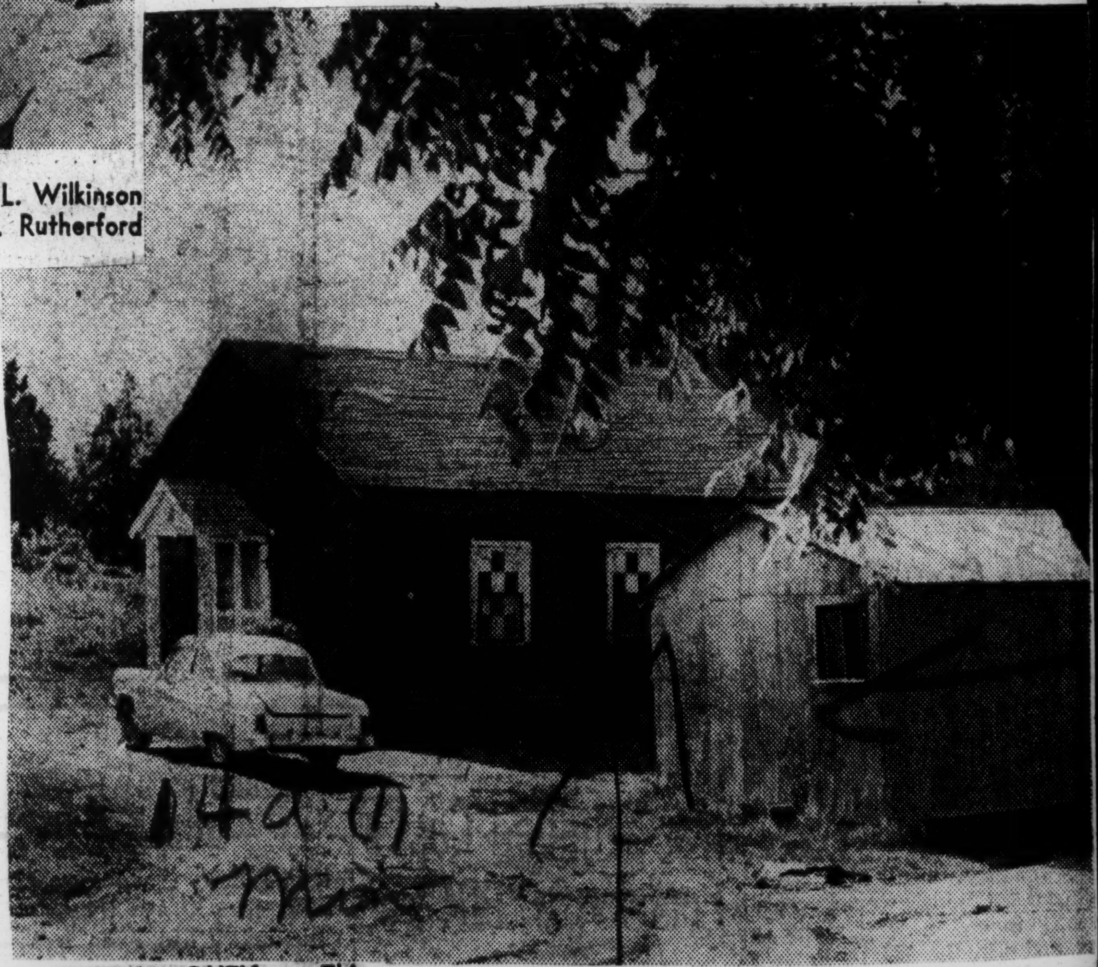
The school, besides more than 30 regular class rooms, contains a large gymnasium, a well-equipped homemaking department, and a cafeteria, as well as the administrative spaces.

Students will do problems on green-tinted "blackboards." The walls of their class rooms are decorated in a combination of bright colors.

When complete, officials believe, De Soto County's educational facilities will be second to none.



PLANNERS — Construction foreman E. L. Wilkinson (left) and Superintendent of Education R. E. Rutherford check the plans for Hernando Central School.



14d(1)
Miss

DOUBLE DUTY — This church building housed worshippers on Sunday and students during the week throughout the last school term.

School Enrollment Hits 24,171 Here

Jackson
News
Jackson Daily News
Tues. 9-9-58 P.14

Jackson Separate School enrollment has reached a high of 24,171 students for the first day, Horace Adams, director of personnel and pupils accounting, announced.

He said Monday's enrollment figures showed a jump of 1630 students or 7.3 per cent increase over last year's first day figures.

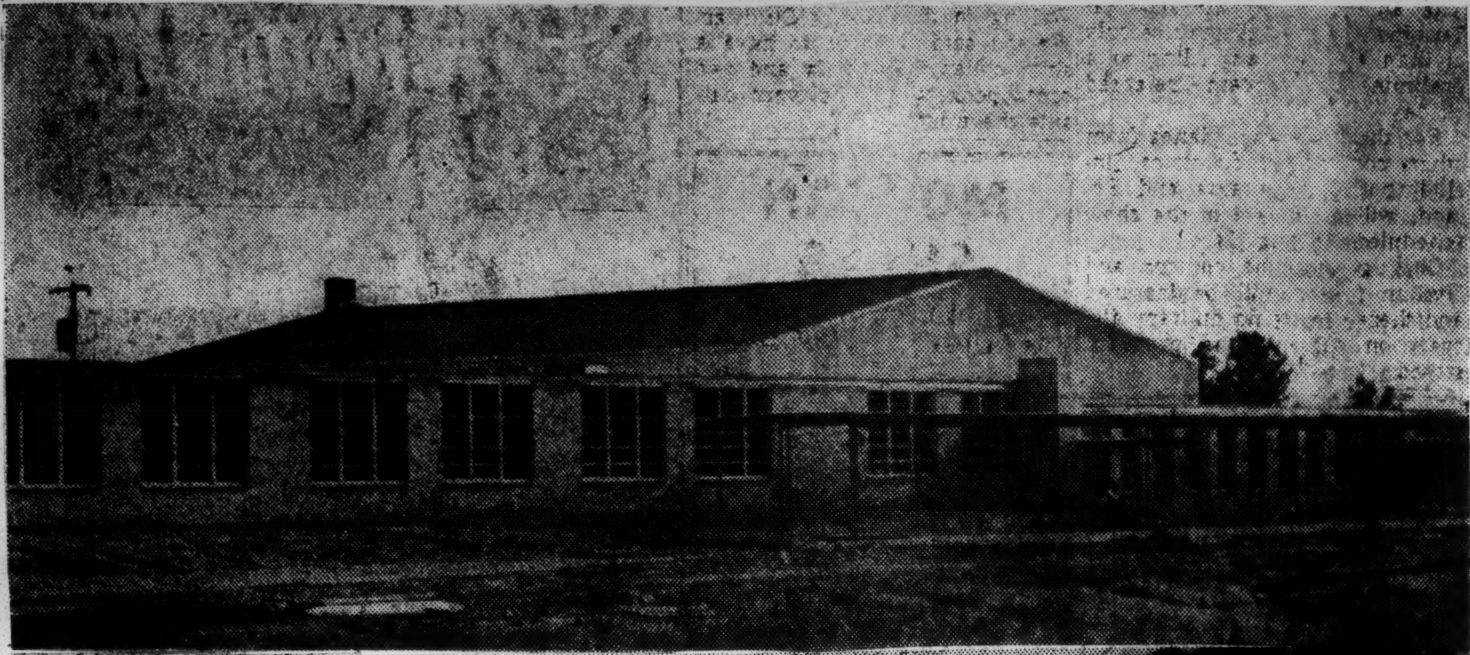
After the first week of school the figures will be reported on a monthly basis.

Enrollment in the white schools is 24,141, and in the colored schools, 9,401.

First day enrollment for the 1958-59 school term for each school follows:

Central, 921; Murrah, 775; Provine, 750; Bailey, 1242; Enochs, 501; Hardy, 727; Peeples, 688; Baker, 644; Barr, 322; Boyd, 560; Bradley, 372; Davis, 297; Duling, 404; French, 480; Galloway, 505; George 315; Key, 547; Lake 539; Lester, 552; McWillie, 632; Poindexter, 341; Power, 344; Spann, 404; Sikes, 649; Watkins, 808; Whitfield, 421.

Colored schools, Lanier, 1409; Hill, 1070; Brinkley, 1181; Rowan 664; Isabel, 857; Johnson, 695; Jones, 804; Martin, 327; Morrison, 290; Reynolds, 801; Robertson, 638; Smith, 559; and Young, 106.



MODERN FACILITY — Negro students at Hernando, Miss., will attend this new $350,000 school next fall. It is part of a million dollar program.

CONTRAST — This ramshackle frame school was one of the four buildings used for Negroes at Hernando last year.

—Staff Photos by Richard Allin

New Negro School Set In Madison

News P.5

Jackson

CANTON — Construction of the third large new building for Negro school children looms just ahead as the Madison County Board of Education this week is calling for bids on the $243,000 Madison colored school.

Jackson

Bids will be accepted up until 2 p. m. on September 16, in the office of the county superintendent.

To serve some 750 students, and to consolidate nine present Negro schools in the southern and eastern parts of the county, the Madison Colored School will have 13 classrooms and 15 if the $243,000, provided by the State Education Finance Commission, figures out enough money.

In addition the new buildings and facilities will include an auditorium-gymnasium, a cafeteria, library, science laboratory, commercial suite, offices, clinic and teachers lounge, storage, locker shower and boiler rooms.

Site is adjoining the present Negro school at Madison, on 15 acres purchased from George Crawford. The site is west of Madison and just east of Mr. Crawford's farm.

Jack. 8-24-58

To be added to the new half-million dollar high school building for Negroes in Canton, and the $450,000 high school building for Negroes at Camden, this new Negro school will give this county an unusually progressive record in providing the equal facilities for colored students as provided under the state's school reorganization program.

County Superintendent Bob Cox said Wednesday that the plans for the new Negro school at Flora also have been approved but finances for construction are not available from the State commission as yet.

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3 Mississippi Judges to Rule On Mix Bans

Constitution P.5B

Atlanta Ga.

JACKSON, Miss., July 26 (AP)—Effect of the first civil rights attack by the National Assn. for the Advancement of Colored People upon Mississippi's barriers to integration will be decided by three judges—all Mississippians.

The NAACP wants the court to declare unconstitutional Missisipi's 1954 voter registration laws and a 1956 law forbidding outside help in lawsuits against state agencies.

Jan. 7-27-58

Legislators debating the two laws explained they would not only limit Negro voting but also would help reduce the number of NAACP-financed segregation suits.

A decision from the three judges—Sidney Mize of the Southern District, Claude Clayton of the Northern District and Ben Cameron of the U.S. Fifth Circuit Court of Appeals—is expected in four to six months.

Mize is a native of Biloxi, Clayton of Tupelo and Cameron of Meridian.

* * *

IF THE TWO LAWS are wiped out, two major barriers to racial integration will fall. It also could mean the state would have to draft definite answers for the two disputed sections of the voter registration laws: Interpret a section of the Constitution and show reasonable understanding of the duties of citizenship.

The circuit clerk now is the sole judge of whether an applicant has qualified for registration.

In either case, an appeal directly to the U.S. Supreme Court virtually is assured.

The test case was filed by a Negro part-time Methodist preacher, the Rev. H. D. Darby of Prentiss, who charged he was purged from the voter rolls of Jefferson Davis County in 1956.

* * *

DARBY CONTENDED he was a registered voter before Jan. 1, 1954, the date the new registration requirements took effect, but that he was required to requalify under the more stringent examination after the county ordered a reregistration.

Darby charged racial discrimination.

His NAACP-appointed attorney, Mrs. Constance Baker Motley of New York, sought unsuccessfully to prove the accuracy of a survey by then-Atty. Gen. J. P. Coleman that showed 1,221 registered Negro voters in the county in 1954.

Circuit Clerk James Daniel testified fewer than 50 Negroes now are on the rolls.

Like many Mississippi counties, Jefferson Davis is predominantly Negro. Negroes comprise 45 per cent of the state's approximately two million population.

Mrs. Motley contended—and the attorney general's office denied—that the Darby case is a class action, meaning the decision would apply to each Negro whose position is similar to Darby's.

Mississippi Passes Bills To Permit School Closing

Okayed Without Debate, Measure Make No Mention of Integration

By KENNETH TOLER

Mississippi Bureau, The Memphis Commercial Appeal
Special to The Atlanta Journal-Constitution

JACKSON, Miss., April 12—Mississippi has fashioned a double-lock to clamp on the doors of its public schools and colleges in event integration is attempted through the courts or by federal troops.

14d(1)

It is in the form of legislation approved at the current biennial session of the General Assembly vesting authority in the governor and in the local school boards to shut down the institutions to prevent them from being racially mixed.

Not one word about integration was uttered during floor consideration of the bills. Fact is, they were passed without being read in their entirety or debated.

No Questions Asked

The only explanations to the members was "you know what these bills do and their purpose." Apparently they knew because no questions were asked, thereby eliminating the necessity of answers.

Neither of the proposals has a word about integration or federal troops. However, both are covered up in the words as to what is "to the best interest of the schools or the state."

One of the bills vests the authority in the governor. The other gives the trustees of any school district that power. A wider field, however, is given the governor in that his authority is extended to the junior and senior colleges.

The authority to "close any one or more or all schools," including the colleges, is left in the discretion of the two groups as to "when such would be to the best interest of the district or persons or state or to promote and preserve the public peace, order or tranquility."

In either case, if the schools are closed they remain closed until reopened by the official body ordering them shut down.

Should a school board order the closure, the schools can be reopened by petition of three-fifths of the qualified electors of the district in which case it is mandatory to resume classes within 7 days.

In the employment of executive action, then the schools remain closed until the governor reopens them by executive order.

The bill relative to the governor taking the action also provides that no person "shall go or enter upon the school premises" except with the permission or approval of the governor. Trespassers would be subject to prosecution under the misdemeanor statutes, and if convicted, liable for a maximum fine of $500 and-or thirty days in the county jail.

MISSISSIPPI

Pay Would Continue

Should the governor use the authority vested in him, then the salaries of all school personnel involved in a closure would continue as though the institutions had not been closed.

During closure by executive order "the children or enrolled students affected thereby may be assigned or transferred, as the case may be, to another school or district." Also, the transportation routes or facilities "may be changed or adjusted to accommodate the transportation of children who would be otherwise entitled to transportation had such closure not occurred."

A companion bill authorizes the attorney general to advise or defend any school or college official or employe and any state official threatened with legal action in connection with operation of the educational institutions.

The attorney general would defend any of those named in the bill should they "be sued, prosecuted or proceeded against in any manner, in any state or federal court, which or the ultimate purpose of which challenges or seeks to invalidate any statute or provision of the constitution of the state of Mississippi dealing with the establishment or maintenance or operation or control or financing or of determining who shall attend such institutions."

Under the companion bill, the attorney general also would defend any school official "investigated or called as a witness by the federal civil rights commission or cited to show cause or charged with contempt, civil or criminal, by any officer, agent or department or court of the United States government."

Challenges Registrar

Atty. Gen. Joe T. Patterson is now preparing to defend the registrar of Jefferson Davis County in a suit filed in federal court challenging his right to deny registration to a Negro minister. The state has been given until May 15 to answer the suit filed on behalf of the Negro by the New York counsel of the National Assn. for the Advancement of Colored People.

The suit challenges the wide discretionary power given the county registrar to determine the qualifications of an applicant for voter-status. The litigation resulted in passage at the current legislative session of a new system of registration in an "inferior court" to replace the circuit clerks who serve as registrars.

Incidentally, Atty. Gen. Patterson is also a defendant in the suit to prevent him from enforcing a statute which prohibits "fomenting of litigation and the solicitation or donation of funds for its prosecution."

That statute is challenged in the federal court suit through the admission of financial and legal aid in its filing and prosecution by the NAACP.

Another law enacted to prevent outside aid in integration suits also is challenged in the suit. It requires out-of-state attorneys to be eligible to practice in the state, to be "cleared" through the state board of bar admission. Counsel in the suit entered without taking that route.

MISS. SCHOOLS' BILL IS PASSEI

Times-Picayune

Legislature Votes Pay Hikh, Nine-Month Term

New Orleans, La.

By W. F. MINOR

(Times-Picayune Staff Correspondent)

JACKSON, Miss. — Mississippi's Legislature Friday wrote final endorsement on a compromise "quality" school bill, assuring school teachers of $11 million in pay raises and offering all schools a full nine months term.

4-12-58

Immediately on the heels of adoption by both branches of the joint House-Senate conference version of the school bill, lawmakers began setting their sights on final adjournment.

The Senate quickly adopted a resolution calling for April 30 sine die adjournment of the 1958 session. The House must still act on it to be binding.

14d(1)

Not a dissenting vote was cast in either the Senate or House against the compromise $97,813,495 school bill which the joint conference committee produced.

Biggest Accomplishment

It represented the biggest single accomplishment of the 14-week-old session which has had a logjam over the school measure and how to raise new revenues to finance it. The measure will exceed the state budget by $17 million.

In the Senate, finance chairman Sen. William Burgin, Columbus, took the floor to outline the revenue-raising picture which the Legislature faces.

He said that at least $10,500,000 must be raised in new tax revenues to finance the school bill and keep the state treasury solvent the next two years.

Thus far, the House has approved $8,500,000 in tax measures, which have been held in [illegible] Senate finance committee [illegible]rting a settlement of the [illegible]ol bill.

[illegible]gin said finance leaders [illegible]ounting on $3,500,000 to be [illegible]ble after all other appro[illegible]ns are made to apply to the school bill. Another [illegible]-000, he said would be re[illegible] from the amount set up [illegible]ficit appropriations in the next biennium.

With this $4,750,000 and the increase of $10,500,000 from taxes "we will be within $2 million of a balanced budget next biennium," Burgin told the Senate.

One Per Cent

"I don't think a paper deficit of this much, which is only around one per cent of the total budget would be too damaging," Burgin declared.

The tax measures already approved by the House and pending before his committee include a one cent per pack increase in the cigarette tax; removal of some exemptions in the state sales tax law and putting collection of retail sales tax on beer and gasoline at the wholesale level; a documentary stamp tax and the increase of the sales tax on illegal liquor from 5 to 8 per cent.

Burgin said that another $2 million in tax bills were pending which would produce $2 million in revenue.

These bills, which are being counted on by a joint House-Senate fiscal committee to complete the tax program, would make REA electric patrons pay the 3 per cent sales tax on their electricity, and put muncipally owned electricity, gas and water plant patrons also under the sales tax.

Keen opposition to putting the 3 per cent sales tax on REA patrons in the House beat down a bill proposed recently.

An effort is expected to be made in the Senate to put the REA and municipal utility patrons under the sales tax by amending the House-passed bill on exemptions now in the finance committee.

The final version of the school teacher pay bill provides raises from $100 a year for teachers with lowest training up to $650 for BA degree teachers and $675 for MA degree teachers.

It also guarantees for the first time in Mississippi state funds for a nine-month school term, but gives individual districts right to revert to the eight months term if they choose, or fail to qualify with attendance requirements.

Any school which does not have 80 per cent attendance of its enrollment will automatically lose state funds for a ninth month.

Some of the lawmakers from the Delta section where Negroes are needed for cotton picking and planting, had urged the optional eight months term for individual districts.

Also in the compromise measure is a provision for cutting the present $270 allocation per teacher unit (30 pupils in ADA) for equipment and maintenance to $245. The House version had cut the amount to $200, but the Senate version kept it at $270.

Some districts already contribute more than their minimum requirements of local funds in order to "enrich" their local school program.

Under the new school program, including both state and local funds, $89,952,514 (up $22 million) will be allocated to teachers salaries the next biennium; $16,298,834 for transportation, and $7,682,220 for maintenance and teaching tools. The remainder of the school funds goes for administration and superintendents salaries.

Both branches of the Legislature quit work early Friday afternoon for a week-end recess. They return for the 15th week Monday.

The Senate finance committee
s slated to meet Monday to
ackle the House-passed tax
measures and some of its own.

Griffin Blasts High Court In Mississippi Legislature

Advertiser p.5 A

Montgomery Ala

1420

JACKSON, Miss. (AP)—Gov. Marvin Griffin of Georgia Wednesday said, "I . . . do not believe that the decisions of the Supreme Court are the 'law of the land.'"

In an address before a joint session of the Mississippi Legislature, Griffin added:

"I challenge anyone to tell me that this group of petty-politicians makes the law of this land, and I further challenge anyone to tell me that this group of so-called 'legal experts' have the power to change the meaning of the Constitution of this great nation."

Thurs 4-3-58

He said, "The situation which we face today is not merely one of segregation versus integration" but "one of constitutional government, and the rights and powers of the sovereign states of this nation versus the might and power of a highly centralized government concentrated in Washington, D.C."

Griffin said Georgia has passed laws under which all authority to operate public schools will be abolished in any district in which the federal government prohibits their operation "in accordance with the present homogenous method of separate education."

If this occurrs, he said, Georgia has provided laws "for an adequate system of grants from state and local funds to the parents of all children on an equal basis, for the education of their children."

Similar school abolition legislation is before the Mississippi Legislature.

Griffin said Supreme Court decisions have gone far beyond race relations and "have flaunted the spirit and, indeed, the very word of the Constitution."

Education Bill Passage Clears Adjournment

Daily News

Jackson Miss

1420

By JOHN HERBERS
United Press Staff Correspondent

Approval of a 98-million-dollar compromise school program today made the coast clear for adjournment of the 1958 legislative session in two weeks.

The House and Senate Friday adopted the report of a joint conference committee calling for teacher pay raises up to $675 a year and for a nine - month school term optional with the district and guaranteed by the state.

Senators moved immediately to end the three - month - old session by April 30 by sending a sine die resolution to the House for final okay. Lawmakers would leave April 23, giving Gov. J. P. Coleman time to sign bills.

The school bill is ready for the governor's signature but is held for reconsideration pending enactment of revenue bills to finance it.

Sat 4-12-58

Provided for in the school bill are pay raises, a state-guaranteed nine-months term, a 24-million-dollar peg on local effort, reduction of the state's allocation for maintenance from $275 to $245, and $80 yearly increment for experience to a maximum of $400.

Senate finance leaders estimate 13 million dollars in new revenue will be needed to pay for the program. Should the Senate approve all the revenue bills passed or pending in the House, the session would be only $3,250,000 short of its goal.

p.1

Sen. William Burgin of Columbus, chairman of the finance committee, predicted, "We will be within two million dollars of a balanced budget for the next biennium."

Daily News

"This isn't too dangerous," he said, considering that the 1956 Legislature left more than a three - million - dollar "paper deficit" but came back in 1958 to find a healthy surplus.

SALES TAX EXEMPTIONS

Hanging fire in the Senate Finance Committee are House-passed bills eliminating certain sales tax exempitons, enacting a documentary stamp tax, hiking the cigarette tax one cent a pack, and increasing the retail sales tax on liquor from five to eight per cent.

p.4

In Friday's Senate action a bill was approved requiring semi-annual inspection of motor vehicles by the state highway patrol. A charge of 50 cents would be levied at inspection stations throughout the state.

1420

The bill also exempted farm vehicles and gave a driver 10 days to correct a defect uncovered by inspection.

Sat 4-12-58

Another Senate bill would require the NAACP to file its membership list with the secretary of state. The bill would permit the attorney general to require any organization whose national directors belong to subversive or communist - front groups to file its membership list.

CHURCH BILL

Earlier the Senate okayed a bill to permit the attorney general to require any organization to file its membership. Neither bill has passed the House.

Placed at the foot of the Senate calendar where it probably will die was a bill to allow a congregation to break away from its parent church and take its property with it.

The bill, sponsored by Sen. W. B. Lucas of Macon, had been criticized by opponents as a means of letting Methodist and other church groups accomplish by legislation what they failed to approve under their own church rules.

Equal-Schools Progress Told

1420

Allocation of $1,783,169.70 in funds for Mississippi's Negro-white school equalization program, with almost two thirds of the total designated for Negro schools, was disclosed yesterday by the Educational Finance Commission.

Daily News

Negro projects totaling $1,143,232.20 were:

Attala County, Ethel High, repairs, $86,119.70; West Point, Junior-Senior High, $200,000; Natchez Special Municipal Separate District, Central Elementary, $140,737.50; Starkville Municipal Separate District, Starkville High, $251,375; Lamar County High, a joint school for Lamar County and Lumberton Line Consolidated District, $225,000; Lumberton Line Elementary, $90,000.

p.22

Tues 4-15-58

Jackson Miss

State funds for white schools, totaling $639,937.50, went to: Calhoun County, Vardaman High, $130,000; Jackson County, East Central High, $309.937.50, and Carroll County, J.Z. George High, $200,000.

Allows 1st Civil Rights Case to Reach Courts Since Decision in 1954

1420

Jackson, Miss.—Mississippi's first civil rights suit to reach the courts since the 1954 Supreme Court decision in the School Segregation Cases was filed here in the United States District Court on Friday, March 14. The action challenges amendments to the state constitution and laws which, in effect, deny Negroes the right to vote. It was filed by NAACP Legal Defense and Educational Fund attorneys in behalf of Rev. H. B. Darby and other Negro citizens of Jefferson Davis County.

Bystander p.1

Des Moines Iowa

Sat 3-22-58

Challenger

The action also challenges Mississippi's new ainti-NAACP laws which prohibit the giving and receiving of financial aid and furnishing of legal services without charge in law suits. Violations of these statutes constitute a crime punishable by a prison term of one year.

Interpretation

Rev. Darby on two occasions tried to register in Jefferson Davis County in order to vote in Mississippi elections. On each occasion the registrar of voters required him to take a written examination. This examination included a requirement that the prospective voter give a "reasonable interpretation" of a provision of the Mississippi Constitution and demonstrate a "reasonable understanding" of the duties and obligations of citizenship.

This requirement was instituted following a 1955 amendment to the Mississippi Constitution and voting statutes which are designed to restrict Negro voting in the state.

Provision

Prior to these amendments the Mississippi Constitution and statutes required a prospective voter to be able to read or write any provision of the Mississippi Constitution or give a reasonable interpretation of it when read to him. The "reasonable understanding of the duties and obligations of citizenship" clause was not previously in the state constitution.

Anti-Mix Power Given Governor Of Mississippi

Advertiser

1420

p.5 A

Montgomery Ala

JACKSON, Miss. (AP)—The Mississippi Legislature has armed the governor with authority to close any or all public schools as a means of preventing racial integration by force.

Sponsors of the bill, which Gov. J. P. Coleman signed into law Tuesday, said it was designed to prevent the use of federal troops to integrate Mississippi public schools.

They cited the use of troops around Central High School in Little Rock, Ark., last year.

There was no debate or discussion on the bill, normal procedure for bills designed to help the state preserve its segregated way of life.

Thurs 5-8-58

The bill authorizes the governor to "close any one or more or all schools of any or all school districts, agriculture high schools, junior colleges and institutions of higher learning when . . . such would be to the best interests of the district or the state . . . or to promote or preserve the public peace, order or tranquility . . ."

The bill also provides for education of children assigned to schools that are closed.

hool issue gains greater intensity

Afro-American P.8

Baltimore Md

10-4-58

JACKSON, Miss. — Mississippi this week was brought back into the integration-of-schools-battle when the state NAACP urged colored people to [illegible] for immediate integration.

With the eyes of the nation centered on Arkansas, Virginia and Florida—the hot spots in the desegregation war —little attention or pressure has been brought to bear on Georgia, Mississippi and other Southern [illegible]

The NAACP statement from headquarters here said that the colored citizens had another alternative "to face the continued indignities and harassments meted out to our young people."

The statement cited a recent incident where six members of the Laurel (Miss.) Youth Council of the NAACP were questioned by the grand jury last week "without just cause as if they were dangerous criminals. Those responsible for this heinous crime should be condemned," the NAACP said.

* * *

IN ANOTHER school issue "to support Little Rock," six of seven parishes in Louisiana's [illegible] Congressional District [illegible] close their white schools, it was announced Friday. The move is to protest racial mixing in Little Rock's high schools.

Schools will remain open in Shreveport, but white and colored schools in Caddo Parish will be closed, a parish superintendent of schools announced. Gov. Earl Long said he had "no objection" to the move.

In New Orleans, the school board asked for an additional delay in the Federal court order ending segregation in the city's schools until the Louisiana Supreme court acts on the current school statute. The law in question, passed by the legislature in 1956, authorized a legislative committee to classify public schools as all - white or all - colored.

The school board lawyers asked Federal Judge J. Skelly Wright to reconsider this ruling declaring the 1956 state act unconstitutional.

IN WINSTON-SALEM, N.C., five colored people have inquired about admission to the Wake Forest college, officials of the Baptist school reported. Two of the colored persons filed formal application to enter as freshmen, but were not admitted because of scholastic records, the director of admissions, A. L. Aycock, reported.

One of the applicants was a resident of Sierra Leone, Africa, the other was a North Carolinian.

The Baptist state convention of 1955 decided to leave the question of admission of colored people up to the trustees of individual Baptist institutions. Wake Forest has announced no policy concerning colored enrollment.

The president of the college, Harold W. Tribble, said the traditional policy of the school was not to admit colored applicants. He pointed out it would be up to the trustees to "adopt a policy permitting the administration to do so at this time."

MISS. GOVERNOR HITS AGITATORS

Coleman Says Integration Thrusts Repelled

Times Picayune

By W. F. MINOR
(Times-Picayune Staff Correspondent)

New Orleans, La

Thu 11-13-58

JACKSON, Miss. — Gov. J. P. Coleman charged Thursday that "calamity howlers" on the segregation issue are "secretly praying for trouble" in order to discredit him.

Without identifying what he called a "little group of agitators," he said they were trying to "arouse doubts and fears in the minds of the people" because he has succeeded in keeping down integration thrusts.

"Every school house is open. No child is being kept out of school. No suits have been filed, no buildings have been dynamited, and complete peace has prevailed," Coleman said in his first press conference at the capitol in more than a month.

P.61

'PEOPLE HAPPY'

"I think the people of Mississippi are happy with this situation and they want to see it stay that way," he declared.

"Of course," he stated, "we have a few politicians who are keenly disappointed that the Coleman administration has handled the school situation with complete success.

"They publicly pretend they are great believers in the separation of the races, but they secretly pray for trouble in order to discredit me."

He recalled a statement he made in his inaugural address in January, 1956, pledging that racial separation would be left intact when the next governor succeeds him.

"This promise has been perfectly kept," Coleman declared.

Obviously vexed by some newspaper and other attacks which followed his recent endorsement of Arkansas Congress Brooks Hays, Coleman said he would not "do any differently if I had it to do all over again."

SUPPORTED HAYS

Coleman gave a recorded statement at Hays' request telling of the assistance Hays gave him on the 1956 Democratic party platform committee. The Mississippi governor headed a Southern bloc on the platform drafting committee.

Meantime Thursday, Coleman said that the state textbook purchasing board, which completed its adoptions of new high school texts for the next four years, screened out any books which "attempted to propagandize on the segregation issue."

The board, of which he is chairman, "carefully checked them all as to content," he declared. Prior to action of the board, he added, every book was closely examined by a committee of teachers, who gave the board their recommendations.

"Those who prefer to criticize the use of these books in the schools will find mighty little to complain about," he asserted.

One south Mississippi editor published an editorial last week suggesting that some books under consideration had undesirable material on racial questions.

$2,681,954 OK'd For Schools Under Equalization Program

From The Commercial Appeal Jackson, Miss., Bureau

Commercial Appeal

Memphis, Tenn

JACKSON, Miss., Dec. 1.—Allocations totaling $2,681,954 for new schools and additions to others under the Negro-white public school equalization program were approved Monday by the State Educational Finance Commission in special session here. Of the amount, $996,095 is for Negro facilities.

Additionally, the commission set dates for bids on five other projects and approved contracts previously taken on six others.

The allocations included:

Natchez-Adams County white high school in Natchez Special Municipal Separate District, $300,000 with an additional $1,050,000 coming from local funds; Central Junior-Senior white high school in Alcorn County in Farmington-Glendale area, $269,250; addition to Nailor Elementary School for Negroes in Bolivar County, $120,000; addition to Weir white high school in Choctaw County, $67,000.

Tue 12-2-58

At Friars Point

Friars Point Elementary-Junior High for Negroes in Coahoma County, $148,500; Lyon Elementary School for Negroes, Coahoma County, $142,800; addition to Forest Hill white high school in Hinds County, $176,568; addition to Oak Forest Elementary white school in Hinds County, $68,512.

P.17

Ed Mayo Elementary School for whites in Moss Point Municipal Separate District, $132,000 with $60,000 additional in Federal funds; Bay Springs white high school in West Jasper County, $112,592 with additional $132,776 in local funds; West End Elementary School for Negroes in Meridian Muncipal Separate District, $218,526, with additional $90,387 in local funds; Harrison Senior-Junior High for Negroes in Meridian Municipal Separate District, $276,269, with additional $286,827 in local funds.

Addition to Mendenhall white high school in Simpson County, $105,000, and addition to Magee white high school in Simpson County, $160,000.

Tishomingo County Elementary School for Negroes in Tishomingo County - Iuka Special Municipal Separate District, $90,000; white elementary in Greenville Municipal Separate District, $294,937 with additional $87,697 in local funds.

Bid Dates Are Set

Bid dates were set on the following projects, with proposals to be received in local school offices:

Jan. 6—Three projects in Madison County, West Madison High School for Negroes at Flora to cost about $230,038, Madison High for Negroes, $244,427, and Madison-Ridgeland white high school, all local funds.

Jan. 8—Two projects in Harrison County, North Gulfport Negro High School, $368,500, and addition to Turkey Creek Elementary for Negroes, $23,176.

Contracts approved included:

Gunnison Elementary School for Negroes in Bolivar County, $123,060; East Central High for whites in Jackson County, $351,799, with $309,937 in state funds and other local; Leflore County High for Negroes, $546,324; Starkville Municipal District High for Negroes, $220,979; Eva Gordon High School for Negroes in East Pike County Consolidated District, $447,876; and Quitman County High for Negroes, $347,847.

Coleman Pleased By Court Ruling

Pupil Placement Decision 'Restores Standards'

VIEWS STATE'S FUTURE

By KENNETH TOLER
From The Commercial Appeal
Jackson, Miss., Bureau

Commercial Appeal

Memphis Tenn

JACKSON, Miss., Nov. 26.—Gov. J. P. Coleman said Wednesday the United States Supreme Court decision upholding the Alabama Pupil Assignment Law "has restored educational standards to their right focus in this country."

"It indicates that the educational system of this country won't be broken down on race alone," the Governor said in a pre-Thanksgiving Day press conference. "Under it, the states should be able to maintain their schools."

Thurs 11-27-58

Governor Coleman said under the ruling that students, whether white or Negro, "must meet certain qualifications other than race in order to be admitted to the schools they want to attend."

Seen As Boost

"Viewed from any standpoint, the decision will stand as a great boost to the peaceful and orderly settlement of the school controversy," the Governor said. "In the past, the general public got the impression that a person could get in school just on account of race."

P.65

"The court is now saying, regardless of race, the person must meet other pertinent educational considerations," the Governor said. "It is not made as a sop to the South, but in yielding to the unswerving realities that our educational system must be maintained with high standards.

Governor Coleman said the "chief virtue of the decision is that it will keep many unqualified Negro children from filing unenforceable suits and thereby fouling up the educational systems of the states."

He viewed the decision "as a vast improvement for our situation in the South" and one that "will be extremely helpful in settling our educational problems."

Provision Is Threat

However, the Governor said it is "obvious" that if Mississippi's Pupil Assignment Law enacted in 1953 is challenged that it would be endangered by a constitutional provision for maintenance of "separate, but equal" schools for the races.

"The assumption would likely be that the law was enacted in obedience with that provision," he said. "However, the legal argument could be made that what the Constitution says does not necessarily control what a school board does."

"I am not attempting to reopen the constitutional convention issue, but if we had had one, and the Pupil Assignment Law enacted after the separate but equal provision was removed from the Constitution, 95 per cent of our segregation problems would have been solved on the spot."

Predicted In Future

"However, the time will speedily come when the people of Mississippi will have a convention to take care of such items as this," he said. "It won't be in my term (which ends in January, 1960)."

Governor Coleman proposed a convention for reworking of the 1890 Constitution to a special session in 1957. It was blocked in the House after gaining Senate approval. The Governor said he will not lead any movement for a convention in the future, but will leave that up to the next governor and Legislature.

"I have made my record and history will record it," he said.

14d(1) 1958 MISSISSIPPI

Coleman Pledges Segregation Here

Renews Vows As Dixie Faces Blackest Hours

14d(1)

By W. C. SHOEMAKER
Daily News Staff Writer

Jackson News

Gov. J. P. Coleman Saturday repeated his vow that Mississippi schools will remain segregated despite problems which have stricken other southern states.

He promised to operate the state's schools "for the interest of all children."

Jackson Miss

"This means that each race will have its own schools; each race will have its own teachers; and each race will march forward with pride in its own accomplishments," Coleman said.

The Governor also called on Mississippians of both races to work to preserve the state's "happy state of affairs."

It was Coleman's first public statement concerning the racial matter since Little Rock's Central High School was ordered integrated.

HIS POSITIONS

P. 1

His views, however, were expressed before the Little Rock troubles began. In his inaugural address in January, 1956, he promised "maintenance of the separation of the races at all costs."

"I have not the slightest fear that four years hence when my successor stands on this same spot to assume his official oath, the separation of the races in Mississippi will be left intact and will be in full force and effect in exactly the same manner and form as we know it today," he said in 1956.

Coleman's statement Saturday did not mention Arkansas or Virginia, where public schools last week were closed to prevent integration, but it obviously referred to them.

HEART BLEEDS

"My heart goes out to my fellow Governors who have had this problem thrust upon them," he said Saturday.

"I am calling on all our people, both white and Negro, each to do his best, each in his own way and each within his own sphere of daily influence, to preserve this happy state of affairs," his statement said.

"Then, we shall be able to continue to build new schools, while at the same time we improve teacher pay and provide a good education for every child within our borders," he added.

"If we entangle our schools in the federal courts nothing can be gained and it is possible that all will be lost," the statement said.

He said there is "really nothing "inferior" about Mississippi's school plan and asked the state's residents to "keep our poise and dignity."

"No court, not even the U. S. Supreme Court, can pay the taxes to support a school. No court, not even the U. S. Supreme Court, can operate a public school. Unfortunately, the courts have now proven that they can destroy a school. If we entangle our schools in the federal courts nothing can be gained and it is possible that all could be lost.

"The Governor of Mississippi has promised to operate the schools of this state for the best interest of all children. This means that each race will have its own schools; each race will have its own teachers; and each race will march forward with pride in its own accomplishments. There is really nothing 'inferior' about this kind of a program. In the spirit of calmness and confidence, let us keep our poise and dignity.

"As for myself, I shall keep my promises to the people of Mississippi."

SCHOOL SYSTEM STATUS PROBED

Times-Picayune

(Special to The Times-Picayune)

PASCAGOULA, Miss. — Steps are under way to call an election on whether Pascagoula schools should remain under a municipal seperate system. The city council has voted to circulate petitions calling for such an election.

14d(1)

New Orleans La.

The question to be decided would be retention of the present city system or transfer of the schools to the jurisdiction of the county system.

Twenty-five per cent of the some 4500 voters in the city school district would have to sign the petition before an election could be called.

Reason for the move, city officials indicated, is that the administration is blamed by taxpayers for increased city tax bills.

P. 9

This year, for the first time, school taxes were included on bills sent out by the city. In the past, school taxes were paid to the county, it was stated.

Mayor Frank S. Canty said, "The people think we are responsible for the taxes and because of this blame two recent badly-needed bond issues were beaten at the polls."

City officials feel they are being made the target of taxpayers' resentment over the increased city tax bill, and by shifting the schools to county control, would relieve the pressure on the administration.

School superintendent Virgil C. Gill and assistant superintendent Herbert D. Farrell presented a petition asking the city to rescind any action it might have taken to transfer the schools back to the county system, and to refrain from taking any action without first calling a joint meeting of the city council and school board to discuss the matter.

The school board petition came in response to an informal discussion of the situation at a city meeting last month.

NAACP Blasts 'Makeshift' School As 'Inadequate'

14d(1)

JACKSON, Miss. — (ANP) — The NAACP has charged that a new school for Negroes at Canton, Miss. was inadequate to provide maximum educational opportunity for each child and that the school program was a makeshift affair designed to circumvent the Supreme Court decision on desegregation.

In a prepared statement, the NAACP compared the new junior-senior high school to an action barn. It also scored some Negroes who are willing to sacrifice the well being of fellow members of their race for personal gain.

P. 1

The school, named in honor of A. M. Rogers, veteran Negro teacher, was recently dedicated in ceremonies attended by Negro and white leaders.

14d(1)

The statement said "Negro citizens will not accept as satisfactory this frantic makeshift school program which is designed as an answer to the Supreme Court decision of May 17, 1954.

58

"Those Negroes who aid in keeping other Negroes in deplorable conditions, under which we live in Mississippi should be singled out for what they are. profiteers at the inhuman expense of their fellow man."

The new school sprawls over a 68-acre campus that was once a cow pasture. It is part of the Canton Municipal Separate School District. Although it reportedly cost a half-million dollars, the school was said to be an example of the state's effort to keep Negroes segregated in their own schools.

At the dedicatory ceremony, conducted by Negroes, white visitors sat in a segregated area in the audience.

A Negro minister, Rev. E. Mays, pastor of the Central Methodist Church here, was the principal speaker. He said the new school indicates that "someone has gone the extra mile in obtaining the building."

Equal Schools Boosting Debt

Mississippi Plan To Cost More Than 120 Million

MOST IS FOR NEGROES

14d(1)

By KENNETH TOLER
From The Commercial Appeal
Jackson, Miss. Bureau

Commercial Appeal

JACKSON, Miss., Dec. 25. — Mississippi will enter 1959 with its public schools still segregated, but deeper in debt to keep them that way.

Memphis Tenn.

The increased burden is under the Negro-white facility equalization program which has an ultimate end-cost tag in excess of 120 million dollars.

The facility equalization phase of a plan designed to give Negroes equal opportunities for the first time in state history, and thereby discourage integration, ties in with an enriched minimum foundation program enacted in 1958. The latter carried hefty increases for teachers' salaries based on training and experience without regard to race.

Fri Dec 26-58

P. 13

No Longer 48th

As a result of the salary raises, Mississippi no longer is 48th among the states in that educational category. Base pay increases voted at the 1958 legislative session ranged from $100 to $625 a year.

Since launching the facility equalization program, the state has allocated $60,534,772 for new and enlarged buildings and equipment. That is in addition to the more than 20 million dollars provided by local taxing districts.

Of the total allocations, an esti-

State Making Good With School Plans

2,174 Negro, 664 White Classrooms Under Way

One of the finest Christmas presents the state received came in the form of a Wednesday statement from the Educational Finance Agency reporting giant strides toward equalization of school facilities in the state.

Jackson
News

Major improvement of Negro schools is one of the keystones guarding the state's segregated system of education. Many Mississippians feel it is perhaps the gratest factor in maintaining our status quo, — in other words, we can have separate schools only if we have equal schools.

Jackson Miss

The statement released through Executive Secretary Thomas H. Naylor in behalf of the commission shows 2,174 classrooms for Negro pupils either completed or under contract, with 664 classrooms for whites in the same status.

Thurs 12-25-58

The program actually did not get off the ground until 1956 Springtime, though it had been in planning stages since befor the Supreme Court decision on school integration in 1954.

SPEED UP

The most encouraging feature of the report is the revelation that the program has moved with such speed in recent months. Long range plans for 137 districts are complete and applications are approved for 300 complete new buildings or additions to existing buildings.

The construction program goes right along with the reorganization plans which the state legislature approved as a necessary part of the financial plan. By far the majority of the building that has been done or is under contract is being done with state money.

Louis Alford of McComb is chairman of the commission, Marvin Williams of Meridian is vice-chairman, L. D. Pullen of Kosciusko is secretary, and other members include: David Miles of Lexington, J. K. Worrell of Carrollton and J. W. Pope of Richton.

The commission has set $7.50 per square foot as maximum cost for the buildings, and with the cooperation of architects has been able to live within that figure, and get quality construction.

Close inspection and cooperation by state department of education and state board of health officials has insured comfortable, sanitary facilities and safety and convenience are likewise being well served in the structures.

News

The commission belives the planning has been so thorough that no state in the union can match our progress in this field.

CAFETERIUMS

Cafeteria and auditoriums have been combined in practically all buildings and this plan has worked out with great satisfaction in actual practice, resulting in considerable savings. School area is limited to 65 square feet per pupil in elementary situations and 85 feet in high schools, another check on reckless expenditures.

Quoting from the Commission's recent report to Governor Coleman:

Thurs.
12-25-58

"It will be observed that 987 classrooms have already been completed; 1,854 are under contract and will be completed in the immediate future, and 1,528 classrooms have been approved but contracts have not yet been awarded for these buildings.

"Applications have been approved in the amount of $60,534,772.80. Very few county unit districts have been able to pass bond issues, and to add any additional money to the funds provided by the Educational Finance Commission. Some of the districts, in most cases, Separate School Districts, have been able to pass bond issues, and have had additional funds to add to State funds in providing school buildings for their respective districts, and in most cases these districts have spent more than $7.50 per square foot. It is estimated that approximately $20,000,000 in bonds have been issued by the school districts since the beginning of this program in December, 1953.

"The applications approved by the State amounting to more than $60,000,000 and the approximate $20,000,000 provided by local districts from band funds, makes a total of more than $80,000,000 provided for school buildings since January, 1956.

"A statewide survey was made by the Department of Education in 1952 and a brief inventory of facilities available in each county of the state was recorded in each survey. Also estimates of needs for the entire state were made and an estimate of $144,000,000 was released to the public in 1953 as minimum need for school construction in the state. The estimate was very conservative.

"After new legislation was passed in December, 1953, reorganizing the entire school system — complete surveys were made of every county in the state. These surveys were made during the years 1954, 1955 and 1956, and have been used as the basis of planning school building programs in most counties. Conditions have changed since that time. Some counties have had an increase in school attendance, others have had decreases, and it has been necessary to keep these surveys up to date in order to do a satisfactory job of planning.

mated $45,027,892 has been for facilities for Negroes, or in excess of 70 per cent. That left $15,506,879 for the whites where the disparities were not as great.

A key in the equalization effort was the reorganization of school districts. Mississippi now has 151 various type districts compared to the more than 2,000 under the old order.

More than 4,489 new classrooms have been provided under the funds thus far allocated of which about 3,000 are for Negroes.

Allocations Set

In order to speed closure of the gap in the dual system, the legislature provided that allocations to the counties would be $15 for each Negro child enrolled, and $12 for each white,

To finance the program, the Legislature authorized an open-end bond issue of $60,000,000. That permits a continuous issuance so long as those outstanding do not exceed the 60 million.

The bonds will be retired from $6,600,000 set aside annually from sales tax collections.

Bonds issued total $30,000,000. They are full faith and credit obligations of the state and not designated as "school bonds."

An additional $15,000,000 is expected to be issued early in 1959.

Allocations as of now by the State Educational Finance Commission which administers the building equalization program include:

Natchez Special Separate District, $566,512; Alcorn County, $168,075; Corinth Separate District, $196,765; Attala County, $441,560; Kosciusko Separate District, $340,890; Benton County, $280,000; Bolivar County, Consolidated District 1, $143,775, District 2, $150,000, District 3, $360,000, District 4, $191,250, District 5, $374,235 and District 6, $219,327; Calhoun County, $733,750; Carroll County, $650,607.

Chickasaw County, $246,869; Houston Separate District, $146,013; Okolona Separate District, $251,859; Choctaw County, $362,904; Claiborne County, $435,000; Quitman Consolidated in Claiborne County $325,000; Clay County $125,000; West Point Separate District, $565,000; Coahoma County, $327,500; Clarksdale Separate District $355,518; Copiah County, $609,615; Hazlehurst Separate District, $532,493; Covington County, $675,454.

DeSoto County, $1,036,440; Forrest County, $508,622; Hattiesburg Separate District, $1,067,006; George County, $546,823; Greene County, $300,000; Grenada County $200,000; Grenada Separate District, $352,166; Hancock County, $188,681; Bay St. Louis Separate District, $187,811; Harrison County, $391,676; Biloxi Separate District, $618,220; Gulfport Separate District, $418,275; Long Beach Separate District, $130,130; Pass Christian Separate District, $169,323.

Hinds County, $969,478; Jackson Separate District, $2,462,256; Holmes County, $800,000; Humphreys County, $847,591; Itawamba County, $636,442; Jackson County, $316,867; Moss Point Separate District, $329,208; Ocean Springs Separate District, $165,000; Pascagoula Separate District, $170,229; East Jasper County Consolidated, $463,495; West Jasper Consolidated, $283,438; Jefferson County, $367,465; Jeff Davis County, $790,934; Jones County $357,173; Laurel Separate District, $600,000.

Kemper County, $370,000; Lamar County, $189,578; Lumberton Line Consolidated, $138,229; Lauderdale County, $600,000; Meridian Separate District, $1,210,062; Lawrence County, $214,520; Leake County, $706,885; Tupelo Separate District, $464,620; Leflore County, $1,079,835; Greenwood Separate District, $817,000; Lincoln County, $303,750; Brookhaven Separate District, $399,375.

Lowndes County, $570,964; Columbus Separate District, $685,496; Madison County, $702,928; Canton Separate District, $508,305; Marion County, $500,000; Columbia Separate District, $373,800; Marshall County $684,000; Holly Springs Separate District, $260,000.

Aberdeen Separate District, $455,000; Amory Separate District, $266,583; Montgomery County, $346,642; Winona Separate District, $126,000; Newton County, $373,350; Newton Special Separate District, $171,165; Noxubee County, $193,710; Oktibbeha County, $439,719; Starkville Separate District, $470,110; South Panola Consolidated, $446,324; Picayune Separate District, $300,530; Poplarville Special Separate District, $274,530; Richton Separate District, $163,500; South Pike Consolidated, $605,773; McComb Separate District, $738,864.

Prentiss County, $318,700; Baldwyn Line Separate District, $205,500; Quitman County, $400,000; Rankin County, $873,948; Scott County, $327,500; Forest Separate District, $187,111; Anguilla Line Consolidated, $287,852; Sharkey-Issaquena Line Consolidated, $344,179; Simpson County, $518,378; Smith County, $188,700; Stone County, $326,316.

Sunflower County, $880,700; Drew Separate District, $469,655; Indianola Separate District, $147,005; East Tallahatchie Consolidated, $495,141; West Tallahatchie Consolidated, $699,436; Tate County, $332,927; Senatobia Separate District, $191,160.

North Tippah Consolidated, $193,000; South Tippah Consolidated, $465,482; Tishomingo County, $263,565; Iuka Special Separate District, $101,266; Tunica County, $14,373; Walthall County, $573,575; Warren County, $287,949; Vicksburg Separate District, $892,308.

Hollandale Consolidated, $365,503; Leland Consolidated, $135,403; Western Line Consolidated in Washington County, $431,283; Greenville Separate District, $382,149; Wayne County, $691,077; Webster County, $425,539; Wilkinson County, $716,355; Coffeeville Consolidated, $175,000; Oakland Consolidated, $107,760; Yazoo County, $521,187; Holly Bluff Line Consolidated, $91,375, and Yazoo City Separate District $40,424.

FINAL OK GIVEN EDUCATION BILL

Mississippi House Passes Measure 115-11

14d(1)

(Digest on Page 44)

By W. F. MINOR

(Times-Picayune Staff Correspondent)

Picayune

P. 1

3-7-58

New Orleans La.

JACKSON, Miss., March 6—Mississippi's 17,000 school teachers were virtually assured of pay raises Thursday as the House put final approval on a bill calling for a $99 million state school program next biennium.

The House, again refusing to substitute the Senate-passed $103 million school program, Thursday passed its own version, 115-11, to climax two days of debate.

It calls for pay raises ranging from $200 to $600 a year, and makes it possible for all school districts to get state funds for a ninth month of the school term.

UP ONE RUNG

Under the present minimum foundation school program, the state guarantees funds only for and eight-month term, leaving the local district to support a ninth month if it wants one. About half the school districts have been sponsoring a ninth month.

Mississippi's teachers, now the lowest paid in the nation, would be put on a par with the present 47th state—Kentucky—if the raises go through. Mississippi now pays an average of $2525, compared with Kentucky's $3125.

Arkansas, formerly the next lowest state to Mississippi, has an average pay of $3180. The Southern states' average is $3669 and the average for the United States is $4520.

The Senate-passed measure provided slightly higher raises than the House measure, ranging from $200 up to $725.

LOCAL CONTRIBUTION

A major change in the House bill cuts from $270 to $200 per teacher unit the amount allocated to schools for "other costs"—including instructional tools, maintenance and operation of plant.

This would cut $2,700,000 from the amount of state-allocated funds which the Senate measure would require.

But the House tossed part of the increases in pay onto local school districts by voting to put the amount of local tax contribution for the overall minimum education program at $24 million in a two-year period.

The Senate bill pegged the local contribution ceiling at $22 million.

$24 MILLION

The House measure originally put no ceiling on the amount of local contribution, which would have required local districts to put up additional funds in proportion to the state increase.

Local units now pay 22 per cent of the cost of the minimum school program and the state pays the rest.

School leaders estimated that the local effort would amount to $28,921,797 if the same proportion were maintained under the increased state funds.

But by an amendment authored by Rep. Karl Wiesenburg, Jackson county, the House voted to peg the local responsibility at $24 million for the next two years.

RAISE MILLAGE

The Wiesenburg amendment was adopted by a vote of 67 to 58. After the House shortly before rejected an amendment to put the figure at $22 million—the same amount in the Senate bill.

Sponsors of the move to hold down the required local contribution argued that present law restricts the amount of local tax millage which can be levied for schools at 25 mills, and some counties and districts have already reached their maximum.

Later in the debate, the House accepted an amendment by Rep. Eck Windham to raise the maximum millage from 25 to 30 mills.

A major fight was made on the floor to raise the $200 per teacher unit allocation for "other costs" back to $270 which was the amount in the Senate bill, and the amount allotted schools under present law.

Picayune

P. 1

3-7-58

New Orleans

La.

DIVERT TO SALARIES

The House beat down, however, amendments to raise the allotment to $270 or to $240. Rep. R. C. McCarver, Itawamba county, made the $270 proposal and Reps. Jake Hurdle, Marshall county, and John Farese, Benton county, authored the $240 proposal.

Later the House accepted an amendment providing that if the state fails to provide the amount of funds necessary to pay the teacher raises, an across-the-board cut of 10 per cent in the funds allotted for administration of the state department of education would be diverted to teacher salaries.

Also in the amendment was provision to further reduce the allotments for "other costs" from $200 to $125 and the local administration supplement from $150 to $75 per teacher unit if state-provided funds are still insufficient.

14d(1)

'Fair Compromise'

The House-passed bill will go over to the Senate next week for action by that branch.

Sen. George Owens, Pontotoc, chairman of the Senate education committee, who authored the Senate-passed measure, said Thursday he would make no comment on the House bill "until I have studied what they did to my bill."

But some Senate sources indicated the House measure was "a lot closer to our bill than we expected."

Rep. James Baxter, Lauderdale county, House education chairman, called the House-passed bill a "fair compromise."

The House measure would require the state to put up $19,400,000 more than allotted public education in the proposed overall $202,800,000 state budget prepared by the state budget commission.

$4.7 Million Exemptions

The Senate plan would require a $23 million increase in state funds.

Next week, the House is slated to turn to the problem of raising additional state revenues to finance the school program.

Rep. Hilton Waits, Washington county, House ways and means chairman, told the House after passage of the school bill that he plans to call up Tuesday a broad bill to knock out $4,700,000 in exemptions from the state's sales tax and put that much in the treasury.

Exemptions which would be removed include those on REA electric customers; municipal light, water and gas plant customers; pasteurized milk; machinery sales under $500, and put collection of retail sales tax on gasoline and beer at wholesale level to make sure the state gets taxes of insolvent dealers.

Senate 'Corrects' Vetoed Measure

(The Times-Picayune Capital Bureau)

JACKSON, Miss., March 6—The Senate Thursday passed unanimously a bill to end the clamor over Gov. J. P. Coleman's veto of a local measure allowing Carroll county to transfer funds from a bond redemption fund.

Coleman vetoed the measure last week because he said it was unlawful to transfer funds for current expenses which were pledged to outstanding bonds.

The House later voted to override the veto, but the Senate Wednesday decided to lay the measure on the table to await corrective legislation.

Sen. Arnie Watson of Carrollton and Sen. William Burgin of Columbus Thursday came up with a general bill which would spell out the authority of county boards of supervisors to adjust the amount of funds set aside for bonds if it has an accumulation sufficient to pay principal and interest for two years.

Carroll county officials contended they had a $38,000 surplus built up in the bond redemption fund. They asked to transfer $10,000 for payment of the county engineer.

Coleman had suggested in his veto message that some curative legislation could be adopted so Carroll county would not be penalized.

The measure was approved by the Senate in "committee of the whole" and immediately was sent to the House.

W $1 MILLION
AFTER NEGRO
D TEACHER

14d(1)

Weekly

P. 1

New Orleans

Sat. 3-8-58

Vicksburg, Miss.—(ANP)—A retired Negro school teacher, who has served the community, church and school for more than 60 years, was honored last week when H. V. Cooper, superintendent of city schools, announced that the new $1 million Negro educational institution under construction on Lane's Hill will be named the Rosa A. Temple High School.

Miss Temple retired in 1947.

MISSISSIPPI MOLDS POWER TO THWART INTEGRATION STEPS

Bill Sets Up Machinery To Abolish Schools When Desired

COULD BE DONE LOCALLY

Constitutional Amendment Can Be Called Into Use Under Plan Offered To House Members

By KENNETH TOLER

From The Commercial Appeal
Jackson, Miss., Bureau

Appeal P. 1

Wed. 1-29-58

Memphis Tenn

JACKSON, Miss., Jan. 28.—Legislation for putting anti-integration powers into effect was offered in the Mississippi House Tuesday.

14d(1)

The bill, referred to the Constitution Committee, directs the carrying out of a standby amendment to the state Constitution. This amendment was designed for use if school integration is threatened in Mississippi.

For 'School Welfare'

The measure permits counties and school districts to close or abolish schools to prevent desegregation.

Neither the bill nor the amendment refers to integration as such. Action is to be taken when local school officials "deem it advisable or necessary in the interest of and to promote the welfare of the school and the children." Action may be taken individually or collectively.

The bill can be passed by a simple majority.

Under the amendment, however, the Legislature could abolish schools statewide by a two-thirds vote at any time it wished.

The amendment provides that when schools are closed, local authorities may dispose of the buildings as they please. It was pointed out at the 1953 special legislative session that public schools could be conveyed to organized groups for operation as private schools.

Chairman One of Authors

Representative Thompson McClellan of Clay County, chairman of the Constitution Committee, is one of the authors.

Others are Representatives Carroll Kennedy of Rankin County, Wilbur Hooker of Holmes County, Brown Williams of Neshoba County, George McMillan of Washington County, John Canon of Tunica County, Maurice Malone of George County, William Collins of Union County, Upton Isson of Harrison and Jackson Counties, Paul Measell of Newton County, Labert Gardner of Yazoo County, Dan Guise of Harrison County, Albert Miller of Sharkey County, Maurice Black of Carroll County, Frank Shanahan of Warren County, Jake Hurdle of Marshall County, Britt Hughey of Amite County and John Guyton of Attala County.

A major introduction in both branches was a proposal for a State Ports and Harbors Act for state operation of ports, rivers and inland waterways, under the state Agricultural and Industrial Board.

Would Develop Ports

Senator Roland Lowe of Batesville was joined by 46 of the 49 senators as authors in that branch, while 102 of the 140 House members signed as authors of the measure in that branch.

Commercial Appeal

P. 2

Senator Lowe, member of a recess committee which studied the proposition, said the bill calls for issuance of ten million dollars in bonds to develop port facilities, with one million dollars going to the Agricultural and Industrial Board to promote and advertise the facilities.

Wed 1-29-58

The major objective is for state operation of the port at Gulfport, although it applies to all ports including those along the Mississippi and Tombigbee River.

Memphis, Tenn

A port authority in each municipality with such facilities would work with the state board and would be composed of five citizens of the city or county. Three would be named by the Governor.

Revenue from the facilities would be used to pay the bonds. However, should the revenue be insufficient, the deficiency is to come from the state Treasury.

Opposed In Greenville

"This legislation will be valuable adjunct to the industrialization and economy of our state," Senator Lowe said.

Opposition has been expressed by the Greenville Chamber of Commerce. Officials there wish to retain ownership of their facilities, and be eligible for state aid for supplemental assistance.

Boy Ridgway, executive manager of the Greenville C of C, said: "Port leaders in Greenville prefer long-term state credit to combine with finances raised locally.

"We favor establishment of a state Port Authority Board, with a director to be appointed by the Governor with the ratification by the Mississippi Rivers and Harbors Association," he said.

Support for the proposal was voiced by Lt. Gov. Carroll Gartin.

Mississippi Roundup—

Sex Separation Bill Is Killed

14 d(1) Miss

JACKSON, Jan. 24 (U.P.)—Representatives today killed a bill to provide for separate schools for boys and girls after one of them charged it was a compromise from the state's official stand against any form of racial integration.

The bill would have given school boards authority to "provide for the separate education of pupils by sex should they deem such action necessary or desirable to promote the best interests of the pupils."

It was reported favorably by the House Education Committee, but when it came up for passage Rep. John French of Panola County said "That's not the way we decided to fight" court orders for racial mixing.

Post Herald p.2

French pointed out the state had, through a special session of the Legislature and a statewide referendum, provided constitutional means of abolishing public schools and setting up a private system as a "last resort" means of preventing integration.

Sat 1-25-58

"If you pass this bill it would be admitting that is not the way we are going to fight—that you would have segregated schools by sex instead," he said.

By a voice vote the House then sent the bill back to committee, which killed it.

The House, meeting alone after the Senate quit for the weekend, adjourned until 2 p.m. Monday after passing several minor bills. The Senate also meets back Monday.

Rep. Chris Faser of Montgomery County introduced a bill intended to run trading stamp companies out of the state.

It would require them to pay to the state the amount equal to all unredeemed stamps.

"That's where these stamp companies make their money," Faser said, adding it had been estimated that 60 per cent of the stamps sold were never redeemed.

Faser said his bill would put a $100 privilege tax on the companies and stores using them but the main factor would be the requirement to pay the state for unredeemed stamps.

Bills were introduced to raise the salaries of State Supreme Court, circuit and chancery judges as approved by the state bar.

The House passed a bill to require teaching of Mississippi history in all high schools.

Mississippi's Anti-NAACP And Anti-Negro Voting Laws Challenged in District Court

Black Dispatch p.1
Oklahoma City, Okla

JACKSON, Miss.—Mississippi's first civil rights suit to reach the courts since the 1954 Supreme Court decision in the School Segregation Cases was filed here in the United States District Court on Friday, March 14. The action challenges amendments to the state constitution and laws which in effect, deny Negroes the right to vote. It was filed by NAACP Legal Defense and Educational Fund attorneys in behalf of Rev. H. D. Darby and other Negro citizens of Jefferson Davis county.

14 a 3
Fri 3-28-58

The action also challenges Mississippi's new anti-NAACP laws which prohibit the giving and receiving of financial aid and furnishing of legal services without charge in law suits. Violations of these statutes constitute a crime punishable by a prison term of one year.

Rev. Darby on two occasions tried to register in Jefferson Davis county in order to vote in Mississippi elections. On each occasion the registrar of voters required him to take a written examination. This examination included a requirement that the prospective voter give a "reasonable interpretation" of a proivsion of the Mississippi Constitution and demonstrate a "reasonable understanding" of the duties and obligations of citizenship.

This requirement was instituted following a 1955 amendment to the Mississippi Constitution and voting statutes which are designed to restrict Negro voting in the state.

Prior to these amendments the Mississippi Constitution and statutes required a prospective voter to be able to read or write any provision of the Mississippi Constitution or give a reasonable interpretation of it when read to him. The "reasonable understanding of the duties and obligations of citizenship" clause was not previously in the state constitution.

BILLS GIVE GOVERNOR SCHOOL CLOSING KEY

14 a(1)

Mississippi Plan Introduced In House, Senate

JACKSON, Miss., March 28.—(AP) — The Governor of Mississippi would be authorized to close any or all schools and state-supported colleges under bills introduced Friday in both the Senate and House.

A series of bills authorizing closing schools, obviously to forestall their integration has been introduced in both houses. Neither house has completed action on them.

Commercial Appeal

Friday's bills were the first to put specific authority in the hands of the Governor but companion measures also newly introduced give similar authority to school district trustees.

p. 19
Sat 3-29-58

The Senate measure was introduced by Senator George Yarbrough of Red Banks. The House measure was introduced by Representative Ben Hilbun of Lafayette County, Wilbun Hooker of Holmes County, Dennis Baker of Panola County, Leon Hannaford of Tate County, Dave Womack of Humphreys County and Buddy Newman of Issaquena County.

Memphis, Tenn

Gov. J. P. Coleman has told the Legislature he does not believe any move to abolish public schools and then operate them as private institutions will stand up in Federal courts.

Segregated Schools To Stay, Winstead Tells Legion Meet

Daily News

PHILADELPHIA, Miss. (Special)—Speaking to a large audience at the American Legion meeting here Tuesday night Congressman Arthur Winstead, a native Philadelphian, said: "So long as the white people want segregated schools we will have them. I am bitterly opposed to any legislation which would put our schools under Federal control."

14 d(2)
Jackson Miss

Referring to the present economic situation, the congressman said: "I do not see any indications of an all-out depression. With a 300 billion dollar economy you can't expect a 1933-type depression when the national economy totalled only 29 billion dollars."

Thurs 9-10-58

A ranking member of the Armed Services Committee, Winstead stated: "We can look forward to expenditures of untold billions for defense. The Russians are ahead of us with submarines and some types of missiles. Sputnik woke us up."

p. 9

He stated that the soil bank is a damaging program and is driving the small farmers off the farms. He spoke out against any increase in unemployment benefits and the proposed cut back of National Guard strength.

Kansas City Schools Fight Delinquents

By ED L. CAMPBELL

14d(1)

News Courier

Charleston S.C.

Mon. 2-10-58

P. 2

KANSAS CITY, Feb. 9 (AP) —It's like the old song:

". . . the teacher pulled the stopper out and

"Pop goes the weasel!"

The 60,000 students and their teachers in the Kansas City school system were struggling along with their studies and their problems without public fanfare until Jan. 7.

On that day, Preston Young, 16-young-old Negro student at Central Junior High School, hit the school's white gym instructor, Richard Powers, 28. Powers said he was struck when he attempted to evict Young from the gym for rowdyism during a basketball game.

Forthwith, School Supt. James A. Hazlett "pulled the stopper out" on the question of discipline, violence and crime in the city's schools.

"We've had four or five incidents of this type during the current school year and we feel that this type of behavior is going to have to stop," Hazlett told newsmen.

CRIME AND VIOLENCE

Within a matter of hours almost, others were spilling details on this and other problems: extortion of lunch money, knife-carrying, vulgarity and indecency. Teachers, many clinging to anonymity, told of young hoodlums terrorizing classrooms. School officials ordered stern discipline for offenders. Law enforcement agencies promised full cooperation. Press, radio, television and the public forum were used to reveal and explore the situation.

The community self-searching still is under way.

How bad is the problem? What are the causes? And the cure?

The Kansas City Star assigned reporters Harry Jones Jr. and and Steve Underwood to a research project. They interviewed more than 100 teachers and educators, came up with a series of illuminating articles.

LACK OF DISCIPLINE

Supt. Hazlett, who as early as last Oct. 7 had set up a special committee to study school discipline, got an early report from his group. The committee said it found lack of discipline took these forms:

1. Habitual impudence.
2. Habitual and intentional disruption of classroom activity by a hard core of minority students.
3. Oral and written vulgarity and obscenity in classrooms.
4. Strongarm extortion racket tactics.
5. Intentional damage to school, teacher and pupil property.
6. Theft of personal and school property.
7. Acts of public indecency.
8. Changing and forging notes and grade cards.
9. Truancy.
10. Boy-girl (sex) relations.

Numerous causes for the trouble were given.

Robert W. McNeven, director of pupil services and chairman of the school system's discipline committee, said: "The children born in the early 1940s are the ones in high school today. Mothers and fathers were both working. Those babies are the troublesome ones today."

But Maj. Doral Denison, head of the police department's Youth Bureau for the past 15 years, says the situation is not as bad as it is being pictured.

"When you get the facts on the individual cases and see both sides of it, you find that very little of the trouble is related to the schools," Denison said. "Statistics show there are 2.5 delinquents per 100 juveniles. Most of those are not even enrolled in school.

QUESTION OF STATISTICS

"Statistics can be misleading. Our 1957 figures show there was an increase of 9.1 per cent in juvenile cases over 1956. But 1956 showed an increase of more than 17 per cent over 1955. So actually it is on the decrease rather than increase. The only trouble is, there are more juveniles now than there used to be because of the population increase. So naturally there will be more cases of juvenile delinquency.

"I'm afraid that all this excitement is going to hurt the vast majority of really good children we have in Kansas City."

Denison said the police have never had to place special guards on any of the schools, have had no rape cases in the schools and in 15 years have had only two cases touching on narcotics.

Sex cases, the veteran policeman said, "are at a minimum."

Denison was equally emphatic in declaring that no racial problem was involved and that integration of the Kansas City schools three years ago was not a factor in the situation.

INTEGRATION ISSUE

Hazlett also said integration had little to do with the problem. Reporters Jones and Underwood, in their survey, concluded "integration cannot be blamed for the bulk" of the trouble, but added: "Unquestionably the mingling of the races has contributed to unrest."

Hazlett said the school troubles were caused by between two and five percent of the students. It has occurred in all-Negro, all-white and integrated schools.

After gym teacher Powers was attacked, Hazlett told teachers they would get school board support in prosecuting such assailants. Student Young was suspended for striking Powers and subsequently expelled from school for the remainder of the year. He then was tried in Juvenile Court on an assault charge. The case is under advisement.

County Prosecutor William A. Collet also assured classroom teachers that his office "will go all out to prosecute any person who attacks a teacher physically."

There have been no reports of any other student-teacher physical encounters since the Young-Powers case. But student mischief — to use a mild term — continues.

WHAT REMEDY?

What remedy for the situation? Some vocal citizens advocate corporal punishment.

But school teachers in Kansas City cannot administer such punishment unless permission in writing has been granted by a student's parents. And at least one member of the school board frowns on such practice.

Hazlett also frowns on the hickory stick approach. He proposed the following nine-point program, based on various surveys:

1. A new state law authorizing a school superintendent to suspend a student for a full term instead of the present 10 days.
2. A new city ordinance — proposed by Denison — empowering police to clear schools and school properties of unauthorized loiterers.
3. Better records of all discipline incidents in the schools.
4. Special classes for children who are not succeeding and not adjusting, "who show signs of aggressiveness and ugliness."
5. A special school, similar to the juvenile homes, where problem children could be educated and rehabilitated.
6. Clarification of the areas of responsibility among teachers, principals, truant officers, police and juvenile court authorities.
7. Creation of a review board at the administrative level for all disciplinary cases.
8. Prompt action by truant officers in getting absent children back into school.
9. Reassignment of teachers. New and inexperienced teachers would be kept out of trouble areas.

Says Teachers Should Be Able To Spank Pupils

14d(1) Mo

The Call P. 1

Fri 5-16-58

Kansas City, Mo.

A Kansas City elementary school principal says teachers and principals should be able to spank a child without having to obtain the parents' permission.

John L. Howell, principal at Greenwood school, made the comment Wednesday while pointing out the recent report of the superintendent's committee on discipline and delinquency "side-stepped" corporal punishment.

The report said Missouri statutes provide for corporal punishment, but the board of education of Kansas City permits it only if written consent of the parent or guardian has been received.

The Old-Fashion Way

Kansas City Principal Will Keep Troublemakers In After School

Courier Journal

Tue 2-11-58

Incorrigibles Face Suspension

Louisville Ky

14d(1)

P. 3-1

From Wire Dispatches

The old-fashioned punishment of being kept in after school was revived in Kansas City yesterday as harassed educators sought to tighten discipline in the wake of a series of teen-age disturbances.

Principal M. Wayne McKanna of Northeast High School announced he was reinstating the system abandoned here a year ago and bulwarking it with a cumulative punishment plan that would result in ultimate suspension for incorrigible students.

Last week McKanna suspended 10 students, nearly all listed as "bad cases" by their teachers.

Others Crack Down

At the same time other public schools in Kansas City began disciplinary crackdowns.

Under McKanna's system a pupil who is sent from his classroom for misconduct is automatically kept an hour after school. Any student proved guilty of a breach of discipline within a class gets five such overtime hours.

If he misbehaves while serving an overtime he draws five additional overtimes. Cutting a class is penalized with two overtimes.

Any student failing to appear for an "eighth-hour" disciplinary session would face automatic suspension. In addition, McKanna warned, parents will be required to appear at his office.

In New York, Mayor Robert F. Wagner met with school officials to work out a "crash program" for dealing with the growing problem of violence in the city schools and to decide what to do with 644 troublemakers suspended from their classes Friday.

Hearings Are Planned

The Mayor and the Board of Education decided to set up hearing procedures to consider each suspended student's case separately. Each hearing will be attended by the student, his parents, his teacher, the school principal, and other officials.

"Immediate steps will be taken, with the State, to provide custodial facilities for those who should be assigned to institutions," the Mayor said. Those who are not put in institutions will be segregated in schools for troublemakers.

Moberly Negro Teachers To Appeal Court Ruling In Discrimination Case

MOBERLY, Mo. — (UPI) — Eight Negro teachers will appeal a U. S. District court ruling that the Moberly school district showed no discrimination in employing is faculty for the 1955-56 school term.

Austin Walden, attorney for the school board, said Friday he had been notified that the teachers, who lost their jobs when the district integrated, would seek a higher court ruling.

The teachers brought suits totaling [illegible] and sought an injunction against the board because of alleged discrimination against them. They formerly taught at Lincoln school, which was closed under the integration program.

Their attorney, Robert L. Carter, is associated with the National Association for the Advancement of Colored People.

In the ruling last June 27, U. S. District Judge Roy W. Harper noted that three white teachers were released at the same time. He said he saw no evidence of discrimination based solely on race or color, but felt the dismissal of the teachers was because of their personalities or abilities.

Walden and another attorne for the Moberly school distric Arthur M. O'Keefe, were ordere by Harper to prepare "findings c fact and conclusions of law" an a judgment before a final decisio is handed down.

Carter was expected to receive these documents soon for approval by him before they are submitted to Harper.

Attorneys for the eight teachers may file a motion for a new trial or appeal to a higher court after the final judgment is filed.

Guard May Be Called Again If Needed, Faubus Vows

2 Governors Show Defiance To Integration

Advertiser

MIAMI BEACH, Fla. (AP) — The governors of Virginia and Arkansas breathed a new measure of defiance at desegregation and the Supreme Court Monday on the sidelines of the national conference of governors.

Gov. J. Lindsay Almond of Virginia, in the wake of a reverse for his state in a school segregation case, said state laws "will be applied in an honest effort to save public education" from chaos.

June 5-20-58

Gov. Orval Faubus of Arkansas said he might call out the Arkansas National Guard again when Little Rock schools open this fall —if that is necessary to prevent violence.

Montgomery Ala.

QUICKLY COLLIDED

The pair of southerners spoke out as the governors formally opened their golden anniversary conference and quickly collided over Eisenhower administration proposals to hand over a pair of federal programs to the states.

Men on opposite sides acclaimed the idea as a step toward restoring government to control of the people or assailed it with calls for more federal aid and criticism that it represents an about face by Eisenhower.

This merely brought into the public forum of the conference sharp differences already evident in off-stage statements and news conferences—not only on federal-state relations but also on segregation, politics, tax cuts and recession remedies.

Faubus was talking a news conference at about the time the Supreme Court in Washington refused to consider a Virginia appeal of an order by U.S. District Judge Albert V. Bryan of Alexandria, Va., that seven Negroes must be admitted to white schools in Arlington County.

NO COMMENT

Faubus had no comment on the court's action, which raises the possibility that the schools may be shut under Virginia laws which say public schools must close in the event of racial integration.

Almond said "I see no change in the situation in Virginia." He added his remark about applying the state laws to prevent chaos.

Faubus has contended all along he called out the National Guard last fall, not to balk another federal court order ordering desegregation at Little Rock's Central High School, but to maintain peace.

"I'm not arguing," he told newsmen, "whether integration is right or wrong. It won't help any to make a scapegoat out of me. It won't help the Negro, the country or Arkansas."

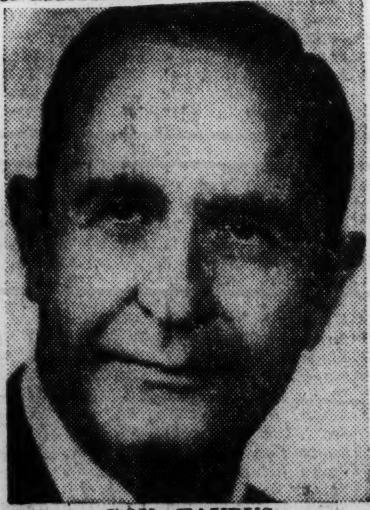
President Eisenhower ordered Arkansas Guardsmen into federal service, and used them along with federal troops, to maintain order at Central High, after demonstrations against nine Negro students. Federal troops have been pulled out, with only part of the National Guard left in the closing days of school.

Eisenhower has ordered the Guardsmen returned to state control when the school term ends.

Faubus said he has plenty of Guardsmen under his control. But Eisenhower again could put them under federal command.

Gov. Price Daniel of Texas, a former U.S. senator, forecast congressional rejection of Eisenhower's bid to take the federal government out of vocational education and let the states pay for it.

Daniel, a Democrat, got a round of applause for a remark that the states will be surrendering their last bulwark of independence if they can't finance public school construction without U.S. help.



GOV. FAUBUS

Gov. G. Mennen Williams, Michigan Democrat, said Eisenhower reversed his course 180 degrees with his proposal, after sponsoring the interstate highway program financed largely with federal funds.

'IFFY QUESTION'

Asked if Central High School could be opened with integrated classes without the presence of federal troops, Faubus called that "an iffy question."

"I wouldn't say I'd want it to re-open on an integrated basis without federal troops," he said in reply to another query.

He said he is afraid he could not prevent violence by ordering non - federalized Guardsmen to escort Negro children to their classrooms.

He reported the Arkansas National Guard is back under state control except for 32 federalized troops still on duty.

Faubus said he has no intention of bringing the civil rights issue up for discussion during the governors' conference. It is not on the agenda.

His solution to racial problems in Arkansas and other Southern states, he said, is to "abide by the Constitution and leave those things clearly reserved to the states as prerogatives of the states to be handled in their own way."

He said an appeal is pending in court to the order integrating the Little Rock schools with a hearing due June 3.

What if the appeal is turned down?

"It is the responsibility of federal agents to enforce court orders," he said. "I might object but I don't know if it would do me any good or not."

He reported 10 Arkansas schools and all institutions of higher education are integrated but Little Rock is not "ready to accept the new step. It just happens to be that way."

Commenting on the Pulitzer Prize awarded the Arkansas Gazette and its publisher for coverage of the Little Rock integration violence, Faubus said:

"Maybe that's how you get a Pulitzer award these days—get unpopular with the homefolks."

The Arkansas governor said he sees no present prospect of a third party rising in the South.

"The South is more strongly Democratic now than in some time," he said. "The Republican strength is much less. The South in my opinion won't leave the party."

Commercial Appeal
Memphis, Tenn.
June 5-20-58

UNBENDING — Arkansas Gov. Orval Faubus (right) and Virginia Gov. J. Lindsay Almond Jr. spoke out strongly against desegregation yesterday at Miami Beach.

They compared notes on their school situations before the National Governors Conference officially opened.

State Law to Be Applied, Says Virginia Governor

Might Call Guard If Violence Rises—Faubus

Times Picayune

By DOUGLAS B. CORNELL

MIAMI BEACH, Fla. (AP) — The governors of Virginia and Arkansas breathed a new measure of defiance at desegregation and the Supreme Court Monday on the sidelines of the national conference of governors.

P. 4

Gov. J. Lindsay Almond of Virginia, in the wake of a reverse for his state in a school segregation case, said state laws "will be applied in an honest effort to save public education" from chaos.

Wed 5-21-58

Gov. Orval Faubus of Arkansas said he might call out the Arkansas National Guard again when Little Rock schools open this fall—if that is necessary to prevent violence.

New Orleans, La.

IKE PROPOSALS ARGUED

The pair of southerners spoke out as the governors formally opened their golden anniversary conference and quickly collided over Eisenhower administration proposals to hand over a pair of federal programs to the states.

Men on opposite sides acclaimed the idea as a step toward restoring government to control of the people or assailed it with calls for more federal aid and criticism that it represents an about face by Eisenhower.

This merely brought into the public forum of the conference sharp differences already evident in off-stage statements and news conferences—not only on federal-state relations but also on segregation, politics, tax cuts and recession remedies.

MUM ON RULING

Faubus was talking at a news conference at about the time the Supreme Court in Washington refused to consider a Virginia appeal of an order by U.S. District Judge Albert V. Bryan of Alexandria, Va., that seven Negroes must be admitted to white schools in Arlington County.

Faubus had no comment on the court's action, which raises the possibility that the schools may be shut under Virginia laws which say public schools must close in the event of racial integration.

Almond said "I see no change in the situation in Virginia." He added his remark about applying the state laws to prevent chaos.

Faubus has contended all along he called out the National Guard last fall, not to balk another federal court order ordering desegregation at Little Rock's Central High School, but to maintain peace.

'WON'T HELP ANY'

"I'm not arguing," he told newsmen, "whether integration is right or wrong. It won't help any to make a scapegoat out of me. It won't help the Negro, the country or Arkansas."

Call To Guard Is Possibility'

Commercial Appeal P. 2

'If Needed To Keep Peace,' Arkansan Declares

Memphis, Tenn.

VIRGINIA IS REBUFFED

Tues 5-20-58

By The Associated Press

MIAMI BEACH, May 19.—The Governors of Virginia and Arkansas breathed a new measure of defiance at desegregation and the Supreme Court Monday on the sidelines of the National Conference of Governors.

Gov. Orval Faubus of Arkansas said he might call out the Arkansas National Guard again when Little Rock schools open this fall—"If that is necessary to prevent violence."

Gov. J. Linsday Almond of Virginia, in the wake of a crucial reverse for his state in a segregation case, said state laws "will be applied in an honest effort to save public education" from chaos.

Collisions Are Quick

The Southerners spoke out as the governors formally opened their golden anniversary conference and quickly collided over Eisenhower Administration proposals to hand over a pair of Federal programs to the states.

Men on opposite sides acclaimed the idea as a step toward restoring government to control of the people or assailed it with calls for more Federal aid and criticism that it represents an about face by Eisenhower.

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Governor Faubus had no comment on the court's action, which raises the possibility the schools may be shut under Virginia laws which say public schools must close in the event of racial integration.

Governor Faubus has contended all along he called out the National Guard last fall, not to balk another Federal Court order directing desegregation at Little Rock's Central High School, but to maintain peace.

Not On Agenda

"I'm not arguing whether integration is right or wrong," he said Monday. "It won't help any to make a scapegoat out of me. It won't help the Negro, the country or Arkansas."

Asked if Central High could be opened with integrated classes without the presence of Federal troops, he called that "an iffy question."

"I wouldn't say I'd want it to re-open on an integrated basis without Federal troops," he said in reply to another query.

He said he is afraid he could not prevent violence by ordering non-Federalized Guardsmen to escort Negro children to their classrooms. He reported the Arkansas National Guard is back under state control except for 432 Federalized troops still on duty.

Gov. Faubus said he has no intention of bringing the civil rights issue up for discussion during the governors' conference. It is not on the agenda.

Faubus, Virginia's Almond Vow Fights for Segregation

MIAMI BEACH, Fla. (AP)—The governors of Virginia and Arkansas breathed a new measure of defiance at desegregation and the Supreme Court Monday on the sidelines of the national conference of

governors.

Gov. J. Lindsay Almond of Virginia, in the wake of a reverse for his state in a school segregation case, said state laws "will be applied in an honest effort to save public education" from chaos.

Constitution

Gov. Orval Faubus of Arkansas said he might call out the Arkansas National Guard again when Little Rock schools open this fall—if that is necessary to prevent violence.

P. 1 Tue 5-20-58

The pair of southerners spoke out as the governors formally opened their golden anniversary conference and quickly collided over Eisenhower administration proposals to hand over a pair of federal programs to the states.

Atlanta Ga.

Gov. Lane Dwinell of New Hampshire, chairman of the governors' committee which worked with the administration, explained the recommendations for

for more federal aid and criticism that it represents an about face by Eisenhower.

Constitution

This merely brought into the public forum of the conference sharp differences already evident in off-stage statements and news conferences—not only on federal-state relations but also on segregation, politics, tax cuts and recession remedies.

P. 6

Faubus talked at a news conference at about the time the Supreme Court in Washington refused to consider a Virginia appeal of an order by U.S. District Judge Albert V. Bryan of Alexandria, Va., that seven Negroes must be admitted to white schools in Arlington County.

Tue 5-20-58

Atlanta, Ga.

Faubus had no comment on the court's action, which raises the possibility that the schools may be shut under Virginia laws which say public schools must close in the event of racial integration.

Almond said "I see no change in the situation in Virginia." He added his remark about applying the state laws to prevent chaos.

Faubus has contended all along

a halt in federal aid for sewage treatment facilities and vocational education, with the federal government to surrender 40 per cent of its take from the tax on local telephone service. This part of the program has been submitted to Congress for approval.

Men on opposite sides acclaimed the idea as a step toward restoring government to control of the people or assailed It with calls

he called out the National Guard last fall, not to balk another federal court order ordering desegregation at Little Rock's Central High School, but to maintain peace.

"I'm not arguing," he told newsmen, "whether integration is right or wrong. It won't help any to make a scapegoat out of me. It won't help the Negro, the country or Arkansas."

14d(1) 1958 NEW JERSEY

N.J. Segregation Foe Resigns Over Pay

N.Y. World Telegram

Special to World-Telegram and Sun.

MAHWAH, N. J., Feb. 4.—Roy S. Austin, once ousted as superintendent of schools for trying to integrate Negro and white pupils, quit this same job last night apparently because the school board refused to raise his salary.

New York, N.Y.

In an unusual companion action, Albert F. Carpenter high school principal, also quit his job for "personal" reasons. He did not elaborate.

Last week the school board refused by a 5-4 vote, to grant Mr. Austin a $500 increase over his annual salary of $10,000. The vote was taken after a public hearing.

Feb. 4, 58

p 3

Teaching in New Mexic

MRS. NONA BUTLER

Mrs. Nona Butler, 1129 N. E 6th, left Thursday for Albuquerque, N. M., where she has accepted the position of second grade teacher at San Flesipe elementary school.

Mrs. Butler attended Langston university in 1954 and transferred to Oklahoma City university in 1955, majoring in elementary education, receiving the B. A. degree in July. Mrs. Butler is very active in reliigous and civic affairs of the city. She is a member of the East Sixth Street Christian church, the Young Women's Christian Association, the NAACP and the Urban League.

She is the daughter of Mr. and Mrs. Aaron Keys of Pittsburg, Texas.

Black Dispatch
p. 13
Okla City Okla
Aug 16 58

14d(1) 1958 NEW YORK

Clear N.Y. Parents Who Fought Jim Crow School

NEW YORK — (UPI) — A domestic relations judge has dismissed school board neglect charges against the parents of two 12-year old Negroes for keeping their children out of Harlem public schools in a dispute over segregation.

Justice Justine Wise Polier exonerated Mr. and Mrs. Stanley Skipworth, parents of Charlene Skipworth, and Mr. and Mrs. Charles Rector, parents of Shelton Rector.

The action came 1[illegible] days after four Negro mothers were convicted of violating the state's law on compulsory school attendance for keeping their children out of school.

The dispute arose from a charge by a number of Negro parents that their children had been assigned to inferior schools. They have been trying to have the children assigned to schools out of their neighborhoods. In protest against refusal of this permission, they have kept their children out of the public schools.

SOUND GROUND

In her decision, Justice Polier said the defendants had established a sound ground for their action by claiming inferior educational opportunities in Harlem schools by reason of racial discrimination.

"These parents have the constitutionally guaranteed right to elect no education for their children rather than to subject them to discriminatory inferior education," she ruled.

"In my judgment, the course upon which they embarked, and which brought them before this court, was undertaken for the sake of their children and for the tens of thousands of other children like them who have been unfairly deprived of equal education."

Justice Polier said the courts will not excuse failure of performance of a constitutional duty because the city might be unwilling to pay the bill for the costs of what needs to be done.

DEALT WITH

"Those are educational problems which it is the business of the board to deal with," she said.

"Surely, they are less difficult of solution than those problems that have been faced and solved by boards of education — with the help of the teachers themselves and the encouragement and assistance of community leaders — in cities like Washington, D. C. Baltimore, and Louisville, Ky., which . . . have changed from segregated to desegregated school systems.

"Here, as there, determination, resourcefulness and leadership can bring the situation in the New York City school system into line with the constitutional guarantee of equal protection of the laws."

14d(1) 1958

NEW YORK

PANEL ON SCHOOLS NAMED BY MAYOR TO HALT VIOLENCE

14d(1)

Suggestions Due Tomorrow —Jansen, Theobald and Adams Among Group

N.Y.

By WAYNE PHILLIPS

Mayor Wagner yesterday commissioned a group to draft a program for dealing with crime in the schools.

Stepping into a heated controversy between the Board of Education and a Brooklyn grand jury, the Mayor met for two hours with school officials.

After the meeting at Gracie Mansion it was announced that the group would meet later last night and again today at City Hall to put the proposals discussed into preliminary form.

Times p. 1

A statement detailing the steps that were under consideration was expected to be issued from the Mayor's office some time tomorrow.

Times 2-4-58

Members Listed

The Mayor named as members of the group Dr. William Jansen, Superintendent of Schools; Francis W. H. Adams, former Police Commissioner and now a member of the Board of Education, and Deputy Mayor John J. Theobald, who will succeed Dr. Jansen in September.

New York, N.Y.

Also in the group are William R. Peer, executive secretary to the Mayor, and Harold F. Hay, secretary of the Board of Education. Others may be called into the group tomorrow, it was announced.

Eight members of the Board of Education, Dr. Theobald, Dr. Jansen and ten members of his staff attended the Gracie Mansion meeting yesterday. Mr. Peer said the meeting discussed the "general situation" in the schools, including the program of special schools for problem children.

Extra Schools Asked

The Board of Education now has five of these schools and has asked the Mayor and the city to provide funds for six more, at a cost estimated at nearly $500,000.

Mr. Peer said that "many suggestions and proposals" had been made in the two-hour meeting. The job of the group, he said, would be to "draft the first phase of the program discussed" and present it as a series of proposals.

Mayor Wagner called the meeting with school officials after the Board of Education had adopted a statement accusing Judge Samuel S. Leibowitz of "grossly" misrepresenting its operations and of "gross abuse and personal attack" on its members.

The board also charged in its statement that George Goldfarb, a junior high school principal who committed suicide last week, had been threatened with indictment on unspecified charges.

A Kings County grand jury, on instructions of Judge Leibowitz, has been investigating juvenile violence in the Brooklyn schools, particularly at the John Marshall Junior High School, where Mr. Goldfarb was assigned.

Incidents at that school have included the reported rape in the basement of the school of a 13-year-old girl.

The grand jury defended its action in a statement denying it had threatened Mr. Goldfarb and saying it was being "maligned" by the Board of Education officials.

In calling the meeting with the school officials the Mayor said the "rough talk" between the board members, Judge Leibowitz and the grand jury would have to be ironed out among them. The meeting, he said, was only to discuss the "general situation" in the schools.

Times P. 22

Times 2-4-58

Ministers Pledge Aid

Thirteen Negro and white ministers serving in and around the Bedford-Stuyvesant area of Brooklyn sent the Mayor a telegram at Gracie Mansion while the meeting was going on.

New York, N.Y.

The ministers pledged their cooperation with the Mayor and with the Board of Education to make the schools "better and safer planes in which to educate our children."

They deplored, however, "headline-seeking adventurers who would disrupt our schools —and who by innuendo are attempting to place a racial connotation on recent unfortunate events in our borough."

Children of various races were among the victims and the perpetrators of crimes in the area, the telegram said, but there was no evidence that the crimes were conected with racial tensions.

"We hope that at your meeting today," the telegram ended, "there will be common agreement that a school budget much larger than that requested by the Board of Education be agreed upon to give our children the guidance, teaching, smaller classes, remedial facilities and community center activities which they so desperately need."

Teachers Give Views

Another telegram was sent to the Mayor during the meeting from Abraham Lederman, president, and Rose V. Russell, legislative representative, of the Teachers Union of the City of New York, independent.

That message also urged more funds for the city's schools—$30,000,000 for teachers' salary adjustments and $20,000,000 for more personnel, services and supplies.

The telegram deplored the "ostrich attitude" of Superintendent of Schools Jansen and "his self-serving boast" that the city's schools were now better than ever before.

"There is grave danger that in the feud between supine school authorities and a sensation-seeking grand jury the children and the schools will be forgotten," the telegram said.

"In your confidence this afternoon we urge you to bear in mind that the problem of wayward pupils and what to do about them is part of the larger problem of what our city must do for all its children," the union officials said.

"In coping with crime in the schools," they added, "we ask you not to forget the overwhelming majority of the children in our schools who are being cheated daily of their educational birthright by shortsighted, penny-pinching budgets."

The grand jury, which has been investigating violence in Brooklyn schools since Nov. 6, was not in session yesterday. Since November it has been meeting twice weekly. The grand jury is headed by a real estate broker and composed mainly of business men and merchants.

Board members who attended the conference with the Mayor yesterday, besides President Silver and Mr. Adams, were Charles F. Rank, Cornelius J. Walsh, Mrs. Cecile Ruth Sands, Andrew G. Clauson Jr., Vito F. Lanza and Charles J. Bensley.

The only member of the board who was not present was the Rev. John M. Coleman of Brooklyn, the board's only Negro member. Mr. Coleman was not present, either, at the board meting Jan. 23 when Dr. Goldfarb reported that he had been threatened with indictment, or at the meeting Jan. 31 that "fully endorsed" Dr. Jansen and Mr. Silver.

Members of Mr. Silver's staff who were present at the meeting, in addition to Mr. Hay, were Dr. William A. Hamm, associate superintendent of child welfare; C. Frederick Pertch, associate superintendent of the high school division; Dr. Joseph Loretan, associate superintendent of the junior high school division; Dr. Claire Baldwin, assistant to Dr. Jansen.

Also Morris Krugman, assistant superintendent of the guidance division; Dr. Frances Wilson, assistant director of the guidance division; Arthur Clinton, director of attendance; Charles Gilman, administrator of business affairs, and G. Gary Sousa, law secretary to the board of superintendents.

'600' Schools Do Well, Report Says

By JOHN J. McCUEN,
World-Telegram Staff Writer.

Telegram & Sun New York Apr. 26 58 p. 4

New York City's "600" schools, despite the heavy burden imposed upon them by the ouster of some 1600 trouble makers from the regular schools last spring, had a successful school year.

So, at least, declares Mrs. Lillian L. Rashkis, supervisor of the special schools for emotionally disturbed children, in her annual report for the academic year which ended last June. The report was submitted to Board of Education officials today.

In her report, Mrs. Rashkis did not refer to the task thrust upon the "600" school organization in absorbing several hundred of the 1600 suspended from regular classes, and in establishing three special "700" schools for some of these pupils. The "700" schools are now being converted to "600" schools.

Took It in Stride.

But she left no doubt that the "600" school set-up took in its stride the unscheduled expansion of last spring, and is getting ready for the planned opening of three more of the special schools this year.

"Tremendous headway has been made in every area of the schools' activities, especially in the structuring of the curriculum, the efficient working of guidance committees, the enrichment of the program through science, literature, music and art, and the organization of remedial groups in reading and mathematics with excellent results," Mrs. Rashkis' report states.

Good Citizenship.

To teach the pupils good citizenship as well as basic subject-matter, the "600" schools last year introduced or expanded several new techniques, according to the report.

These include inspirational assembly programs, student councils, guidance programs, parents' meetings, camping and other trips, including excursions to West Point; swimming, athletics, individualized reading programs, honor societies, dress-better drives, hobby clubs and other activities.

Good results of the "600" school program are shown in reports from former students who have been returned to the regular schools or who have gone to work. One former student is now president of his high school student-body, another is an honor student in high school and a third hopes to enter a mid-western university.

NEW YORK—Harlem parents of nine Negro children, who have been kept out of school in a dispute over segregation, have abandoned private tutoring and have asked the city for $1,000,000.

14d(1)

Courier p. 4

Paul B. Zuber, lawyer for the parents, said the tutoring sessions were canceled to force the city to charge the parents with neglect.

"It seems as if the Board of Education has tried to obliterate the parents' claims by forgetting that these children are alive. We are trying to force their hand," he said.

Pittsburgh Pa.

"We are taking this step," Zuber said, "because we think we have enough evidence to prove intentional acts of discrimination on the part of the Board of Education and John Theobald in particular." Mr. Theobald is superintendent of schools.

Sat. 10-25-58

THE PARENTS had refused to send the nine children to their assigned schools in Harlem, which are predominantly Negro. They want the youngsters transferred to integrated schools outside the area, which, they contend, provide better educational opportunities.

The tutoring sessions have been held since Sept. 10, two days after school opened.

Mr. Zuber said a claim was sent to the City Controller requesting payment of the $1,000,000 to the parents to reinmburse them for the damage done to their children in segregated schools in the last seven years. All the students are seventh-graders and would have been attending Junior High Schools 120, 136 and 139 this year.

STATE WILL STUDY 3 HARLEM SCHOOLS

14d0 NY

Theobald Requests Survey —Parents' Protest Aided Selection of the 3

Times

p.26c

Thurs 10 30 58

New York NY

A study of conditions in three Harlem junior high schools that have been charged with providing inferior educational programs will be made by the State Education Department.

The inquiry, which may cover certain other schools as well, was requested by Dr. John J. Theobald, the city Superintendent of Schools. Dr. Theobald said the study would "concentrate primarily on the problems and needs of schools in so-called difficult areas" and not on just the immediate Harlem situation.

Dr. James E. Allen Jr., the State Education Commissioner, said that he would send a departmental team to the city to carry out the project.

Last year, after a wave of incidents whipped up public concern over juvenile delinquency in the city schools, the department sent two special "task forces" here to study the problem.

State intervention in the current Harlem school controversy was requested five weeks ago, but Dr. Allen indicated then this would depend on whether local authorities requested it. The Commissioner made it clear yesterday that the department did not intend to get involved in a local dispute, but would evaluate the programs of certain city schools.

The controversy stemmed from the refusal of a group of Negro parents in Harlem to send their youngsters to assigned schools.

Basis of Charge

The group charged that the neighborhood schools, which had predominantly Negro students, offered educational programs that were inferior to those of integrated schools outside Harlem.

A request by the parents to transfer their children to integrated schools was denied, and this led to a boycott of the Harlem schools. The protest, which involves nine pupils, is now in its eighth week.

Tuesday four of the parents filed a claim for $1,000,000 damages against the city, charging that the city followed a "sinister and discriminatory purpose in * * * the perpetuation of racial segregation" in the Harlem school districts.

Dr. Theobald said yesterday that the parents' protest had not influenced him to request the state study, but had played a part in determining which schools would be selected for the project. The three schools involved in the dispute are Junior High Schools 120, 136 and 139.

Dr. Theobald said he had requested the study because he felt that a survey by a responsible and objective agency could help the city system to see its needs better and make improvements.

Dr. Theobald, who took office Sept. 1, said the inquiry would try to determine not "whether this school is bad and that school is good," but rather "whether our schools in the so-called difficult areas are offering programs that provide maximum educational opportunities for all pupils, and if not, what needs to be done."

New York Commission Calls For Greater Integration In The City's Public Schools

Call

14d0

Kansas City

Mo

Fri 9 5 58

NEW YORK. — (UPI) — A special commission of the New York city board of education called Tuesday for city-wide improvement in the "social climate of race relations" to help eliminate racial segregation in the city's schools.

At the same time the Commission on Integration summarized specific recommendations it believes will improve underprivileged schools in Negro and Puerto Rican districts and contribute to integration of both the schools and the community.

The cost of its implementing all its recommendations has been unofficially estimated at 15 million dollars. An unestimated percentage of this sum has been allocated for the purpose since the commission began its work in 1954.

School segregation has been illegal in New York state since 1920. In fact, however, "natural" or non-legal segregation in housing has resulted in segregated classrooms in about two-thirds of the city's elementary and junior high schools. For working purposes, the commission regards as segregated a school with fewer than 10 per cent of it pupils of a minority race—either white or colored.

As of last September, the board estimated that 342 of the 704 elementary and junior high schools were at least 90 per cent white and 113 were at least 90 per cent Negroa nd-or Puerto Rican. Segregation is a lesser problem in high schools since specialized schools draw students from the entire city rather than a single neighborhood.

The commission found without equivocation that "segregated education is inferior education" and its defects are "inherent and incurable." The deficiencies of colored schools are aggravated, it said, since the students from segregated neighborhoods are usually "economically, socially and culturally underprivileged" and need more guidance and better teaching rather than the less of each they are getting.

The commission's major recommendations included:

Re-zoining of school districts wherever possible to mix the ra cial population of the school, and "strategic building" of new schools in fringe areas in an effort to stabilize both the school and the residential population.

Fri 9 5 58

An intensive educational programs in predominantly colored schools, with increased remedial programs for retarded students and increased opportunity classes for those of promise.

Setting of a "higher minimum" for guidance services in underprivileged schools aimed at increasing the number of student continuing their education and als at encouraging "students of al faiths and ethnic origins . . . t prepare themselves as teacher and guidance counsellors."

Changes in teacher assignmen to increase the number of highl qualified teachers in underprivi schools, together with some in centive such as parking space, t teachers to teach in neighbodhood in which they prefer not to liv

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Harlem Parents Close Classes, Seek Court Test

14d0 NY

By HELEN T. EMERY,
World-Telegram Staff Writer.

World Telegram

p.33

New York NY

Wed 10 15 58

Private tutorial classes set up last month by a group of Negro parents who refused to permit their children to attend local junior high schools were shut down yesterday.

Mrs. Carrie E. Haynes, chairman of the Junior High School Coordinating Committee of Harlem, and Paul B. Zuber, attorney for the parents, said that the youngsters will now be kept at home without schooling. The parents will leave it up to the Board of Education to take action for violation of the compulsory education law.

Court Test Welcomed.

The spokesmen intimated that they would welcome a court test of their position. They expressed confidence that they have sufficient evidence to prove a case of discrimination.

The tutorial classes were organized when the new school term began. Nine Negro parents announced that they would not allow their children to attend the two Harlem junior high schools in their residential zones—JHS 136 and 139—because the programs offered at the two schools were "substandard and inadequate." They also complained of de facto segregation.

When the school board declined to permit the students to enroll in other junior high schools, the parents organized the private classes.

Appeal Filed.

"They didn't want to challenge our tutorial setup," said Mr. Zuber. "The children are being discriminated against by being denied an adequate schooling. The courts will have to take action."

Mr. Zuber said that he was filing a formal appeal with the State Education Commissioner.

Last Friday Mr. Zuber announced that the nine Harlem parents would sue the city for $1 million on the ground that it has failed to provide an "adequate education" for their children.

Private Classes OK.

When the private tutorial classes were opened last month, Dr. John J. Theobald, Superintendent of Schools, said that any parent has the legal right to send his child to a private school, so long as the instruction meets minimum state standards.

Since then, representatives of the Board of Education have visited the private classes maintained by the Harlem parents, but they have filed no report thus far.

BUS SHUTTLE AIDS SHIFT OF SCHOOLS

Times

Pupils in Holiday Mood as They Move From Burned P. S. 46 to P. S. 89

p. 33E

Pupils from burned-out Public School 46 were in a holiday mood yesterday as they were shuttled by bus from the site of their fire-damaged school to another school almost two miles away.

New York

The latter school was P. S. 89, a sixty-nine-year-old red brick structure that had not been used since Oct. 9, when its 1,400 pupils were transferred to a new school—P. S. 175—next door. P. S. 89 is at Lenox Avenue and 135th Street.

N.Y.

Harlem

10-30-58

It was pressed into emergency service for yesterday's classes after a five-alarm fire early Tuesday morning badly damaged P. S. 46, an eighty-year-old structure at St. Nicholas Avenue and 155th Street. Fire Department officials said the fire apparently had been caused by a short circuit in the electrical wiring.

14d(1)

N.Y.

About 1,300 pupils of P. S. 46's enrollment of 1,600 were assembled before 9 A. M. at the site of the fire-damaged school. As each of seven shuttle buses provided by the Board of Education drew up to take them to their new quarters, the pupils cheered lustily and some broke into song.

Shuttled Back in Afternoon

In the afternoon, they were shuttled back to the site of their old school, where they were met by their parents. The morning and afternoon operations took about forty-five minutes each, and school officials said they could cut the time as soon as the children settled into the routine of the shuttle.

By the noon hour, according to Max Maiselman, principal, attendance had swelled to 1,450. He said this was slightly below normal. The children, ranging in age from 5½ to 12 years, attend kindergarten to sixth grade.

Charles M. Shapp, an assistant superintendent of schools, said the transfer had been the result of "a miracle of teamwork" by the parents, pupils and the fifty-four teachers of P. S. 46.

Both he and Mr. Maiselman acknowledged that some parents had expressed concern about the safety of P. S. 89, but that some of them had been satisfied after visiting the new quarters.

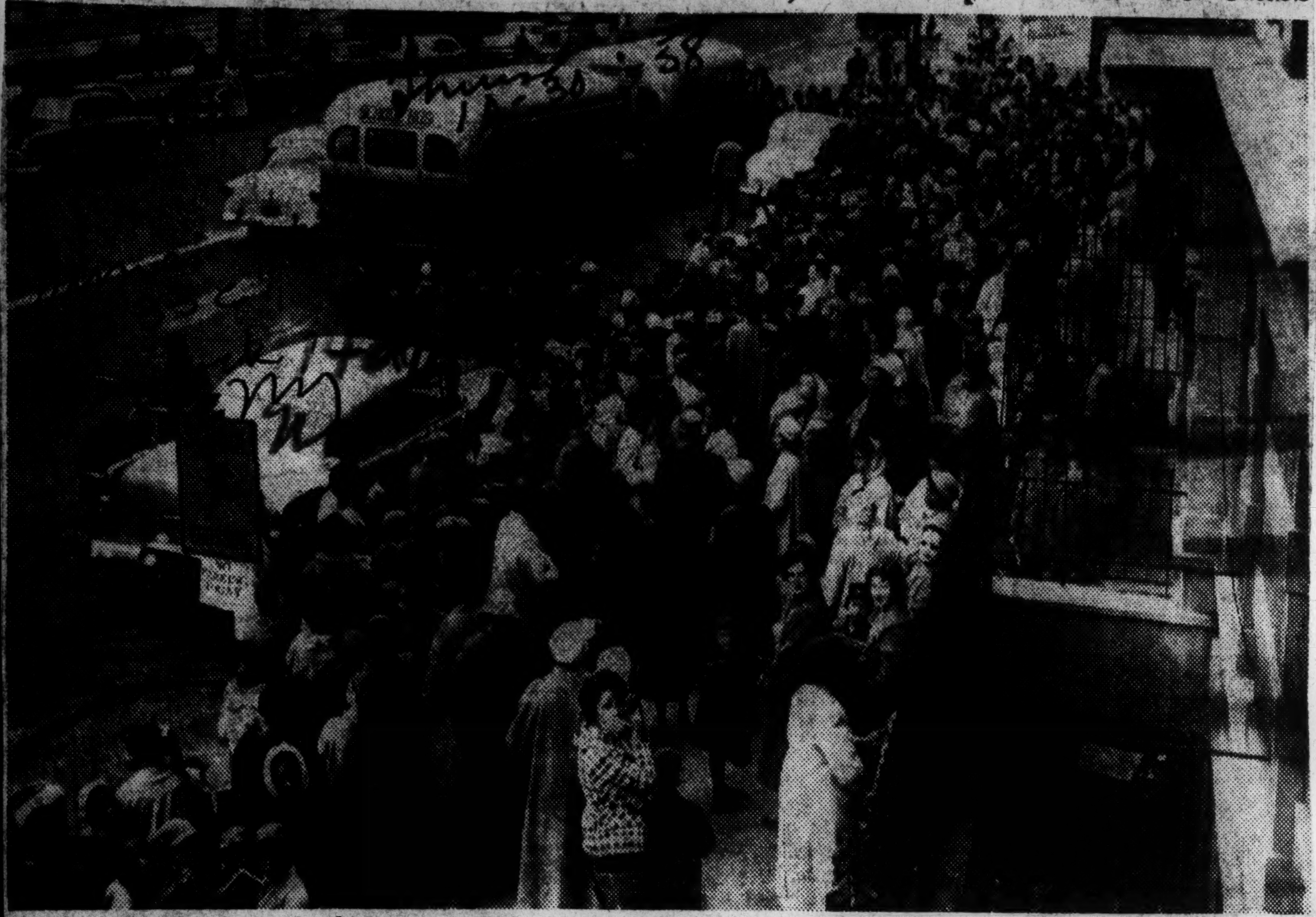
PUBLIC SCHOOL 89
14d(1) N.Y.
WELCOME TO P.S.
WELCOME TO P.S.

New occupants are welcomed by sign-carrying pupils from P. S. 175, who vacated 69-year-old P. S. 89 on Oct. 9.

The New York Times (by Arthur Brower)

Mrs. Estelle Comanor, a kindergarten teacher, discusses problems with parents of her charges in the new building.

Persevering Pupils: School Burned Down, but They Still Go to Class



Pupils of Public School 46, which was closed by five-alarm fire Tuesday, line up in front of school at St. Nicholas Avenue and 156th Street as they await buses to shuttle them to new quarters at P. S. 89, Lenox Avenue and 135th Street.

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4 MOTHERS GUILTY IN SCHOOL BOYCOTT

~~14d~~

Negroes' Protest Against 'Segregation' Found to Violate State Law

New York Times

Four Negro mothers who have been keeping their children out of Harlem public schools in a dispute over segregation were found guilty yesterday of violating the state's law on compulsory school attendance.

Justice Nathaniel Kaplan of the Domestic Relations Court, sitting in the school part of the Children's Court Division, told the parents to remedy the situation before sentencing Dec. 14. Three other cases involving similar issues were also acted up on by Justice Kaplan.

New York N.Y.

One case was adjourned for further hearing Dec. 14, another was dismissed on a technicality and in the third, the mother was placed on parole because she had returned her child to the public school system.

Thurs. 12-4-58

P C29

The dispute arose from the parents' charge that their children would receive inferior education in the predominantly Negro schools to which they have been assigned. The parents have sought unsuccessfully to have the children assigned to schools out of their neighborhoods.

At one time, fifteen pupils were involved in the boycott of Harlem schools, which began when the current term started on Sept. 8, but the number eventually declined to fewer than ten.

Justice Kaplan said yesterday that his court could not pass on whether the youngsters would receive adequate educations in their assigned schools. He said this issue was for the State Commissioner of Education.

Dr. James E. Allen Jr., the State Education Commissioner, disclosed yesterday that his department had already begun its study of the three Harlem schools involved. The inquiry, which was started last week, is under the supervision of Associate Commissioner Walter S. Crewson Jr.

After Justice Kaplan's rulings were announced, Paul B. Zuber, counsel for the mothers, said that his clients would try to place their children in private schools rather than return them to the assigned city schools. Mr. Zuber also said that the mothers would appeal.

Those found guilty yesterday were Mrs. Donald Ware of 2120 Madison Avenue, Mrs. Isaac Prioleau of 2140 Madison Avenue, Mrs. Elijah Waddey of 1980 Park Avenue, and Mrs. May Mallory of 212 West 129th Street. The schools involved are Junior High Schools 120, 136 and 139.

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4 Negroes Convicted In Schooling Dispute

Evening Star
Washington D.C.

NEW YORK, Dec. 4 (AP).—Four Negro mothers were convicted yesterday of violating the State's compulsory education law by keeping their children out of school. They were told to remedy the situation before sentencing December 17.

The mothers were part of a group who refused to send their children to public schools on the ground that they could not receive a proper education in the predominantly Negro facilities to which they were assigned.

Thurs. 12-4-58

P A-6

In three other similar cases, one was adjourned until a later date, another was dismissed on a technicality, and the third mother was placed on parole after having returned her youngster to school.

Domestic Relations Court Justice Nathaniel Kaplan told the four convicted mothers:

"I will not take a defense with regard to poor, inferior, substandard or segregated schools. The only defense I will entertain is that of the children getting an equivalent education outside of the public schools."

Paul B. Zuber, attorney for the mothers, said the children had been getting instruction from their mothers and others, but that his clients would try to place the youngsters in private schools now.

He also said the convictions would be appealed.

"This is a constitutional question," he said. "This is a crime that they have been found guilty of, and is punishable by jail. I've spoken to the parents, and they said they will be prepared to go to jail."

Claim Inferior Facilities

New York City has no segregation, as such in public schools. However, some schools in Negro residential districts have largely Negro enrollment. Parents have claimed that both instruction and facilities are inferior to schools in other neighborhoods.

The board of education has been seeking ways to change distribution of children in the school system, using buses and other means, but has acknowledged that the over-all problem is a great one.

Those found guilty in court yesterday were Mrs. Donald Ware, Mrs. Isaac Prioleau, Mrs. Elijah Waddey and Mrs. Mary Mallory.

14d(1) 1958 NEW YORK SUIT

Four Gotham Negroes File School Suit

Advertiser
Montgomery, Ala.
[illegible]

NEW YORK (AP)—Four Negro parents filed a claim for a million dollars in damages from the city Tuesday on grounds their children were forced to go to inferior and segregated schools.

The damage claim was filed at the city controller's office. It charges that their children's rights under the 14th Amendment and under a state civil rights law are being violated through "perpetuation of a public school system which provides segregated and unequal educational facilities for Negro and Puerto Rican children."

The four parents were among eight who at the beginning of the school year had kept their children out in a protest against "inferior, segregated" junior high schools.

91

There is no segregation by law in New York, but in practice some schools in heavily Negro residential sections are practically all Negro.

The parents for a time set up private tutoring for their children but this effort was abandoned.

The Board of Education's attendance officers issued summonses against two of the parents when the children continued to stay home from the public schools.

14d(1) 1957

NEW YORK

Silver Declares Teachers Shun Integration Jobs

Herald Tribune

New York, N.Y.

Tues. 8-20-57

'Disappointed' in Efforts to Find Volunteers for 'Subject Schools'

By Richard C. Wald

Charles H. Silver, president of the Board of Education, declared yesterday that he is not satisfied with the way the planned integration of the New York's school system is progressing. "I am disappointed in the progress made in carrying out the integration program, particularly in the efforts to obtain volunteers from the ranks of our regular, experienced teachers to serve in the subject schools," he said.

As co-chairman with State Controller Arthur H. Levitt of the board's Commission on Integration, Mr. Silver has been urging for months some action on zoning and other changes to integrate schools with "de facto" segregation—those which exist in neighborhoods where a single ethnic group predominates.

Voices Disappointment

His comments yesterday, however, were his first public indication that he was personally dissatisfied with the measures being taken in the schools.

He is not alone in his dissatisfaction, although he is the only member of the Board of Education to say so publicly. Protests have been made to the Board of Education and to Mayor Wagner by the National Association for the Advancement of Colored People, the Urban League, and other interested groups, that the whole program is moving too slowly.

On the other hand, there has been a good deal of resistance from some neighborhoods which bitterly resent the idea that their schools will be re-zoned and their children possibly sent to schools further away, just to integrate the school system.

The board president's remarks would seem to be directed to Dr. William Jansen, Superintendent of Schools and the man whose job it is to implement board decisions, although Mr. Silver would not amplify his stand other than to say he hoped to make "some progress soon." He had no comment on why he thought integration was slow.

Board for Integration

The board's stated policy, represented in the adoption last spring of a series of reports made by the thirty-seven-member Integration Commission, is to re-zone the schools insofar as possible, to mix white with Negro and Puerto Rican children; to send experienced teachers to "subject" schools—those which are run-down or in poor neighborhoods; to allow transfers wherever practicable; and to build new schools on borderline areas where student populations would be mixed.

Toward this end, Dr. Jansen has reportedly advocated a "moderate" approach. He has created within the administrative framework of the schools an assistant superintendent's position to care for the zoning program, and has appointed to it Francis A. Turner, a Negro. But he has also declared that he will never forsake the "neighborhood" characteristics of the city's schools.

Herald Tribune

Tues. 8-20-57

Most of the city's teacher organizations have come out against the teacher-transfer sections of the reports, and the greater number of teachers sent to "subject" schools have been young and inexperienced—the practice Mr. Silver deplored.

Jansen Criticized

Dr. Jansen came under especially severe fire Sunday when Edward S. Lewis, executive director of the Urban League, charged that the city's integration program has been slow because Dr. Jansen "thinks Negroes are inferior." "There is such minor opposition that there is no reason for not carrying out the program," he said.

The superintendent, who was away on vacation Sunday and yesterday, issued a statement through his office declaring, "Mr. Lewis' remarks concerning me and my efforts to implement the integration program, as published yesterday, were entirely untrue."

"If he is correctly quoted," Dr. Jansen said, "these statements impair his usefulness in the city's efforts to bring about greater harmony among all the people."

Meeting Called Off

A meeting of the executive committee of the Integration Commission had been scheduled for Thursday, it was reported last month. Yesterday, however, Mr. Silver's office said this meeting has ben called off "because it was not convenient, with so many vacation schedules."

SCHOOL LIST SOUGHT

Times P4c

Group Queries Jansen on City Zoning for Integration

New York

Dr. William Jansen, Superintendent of Schools, has been asked to list the zoning changes said to have been made this year for more than fifty schools to increase integration.

The Intergroup Committee on New York's Public Schools yesterday said it requested the list after receiving information that other agencies had been unable to get specific information on the schools reportedly integrated.

The committee informed Dr. Jansen of its "concern that some key recommendations on teachers' assignments and zoning by the Commission on Integration appear to have been abandoned." The committee referred to the "diminution of the authority of the Central Zoning Unit in drawing zone lines."

'Huck Finn' Banned by N.Y. Schools

Constitution

Atlanta Ga.

By LEONARD BUDER

(Copyright 1957 by The New York Times Co.)

NEW YORK, Sept. 11—The Board of Education has quietly dropped Mark Twain's "The Adventures of Huckeberry Finn" from the approved textbook lists for the city's elementary and junior high schools.

The book can still be purchased for school libraries, but it can no longer be bought for wide distribution to pupils as a textbook, except in the high schools. Even in these schools, Huck Finn's days may be numbered.

"Huckleberry Finn," which tells the story of boyhood in the Mississippi valley in the 1840's, has been criticized by some Negroes as "racially offensive." A central figure in the book, which was written in native dialects, is "Miss Watson's big nigger, named Jim."

Miss Ethel Huggard, associate school superintendent in charge of curriculum development, confirmed today that three textbook contracts for the book had not been renewed in the last two years. But she denied that this had anything to do with any objections to the book.

Miss Huggard asserted that the book had not been continued on the approved textbook list because it was felt that it was not really a textbook. She added that pupils who wanted to read it could still obtain copies in the school libraries.

The decision not to continue "Huckleberry Finn," on the approved lists, she said, was purely a matter of selection and was without "prejudice to the book." She also said that no objections to the book had come to her attention.

Constitution

However, an official of one publisher said today he had been informed by school authorities that this company's contract for the book was not being renewed because the work contained "some passages derogatory to Negroes."

The official said that one of the criticisms was that the edition, an adaptation of the original novel, did not capitalize the words "Negro" and "Negroes." He added that the company was bringing out a new version that would meet the criticisms.

A spokesman for the National Association for the Advancement of Colored People said today that his organization had not protested to the Board of Education about the book, nor did he know of any other organized pressure to have the book dropped from the approved textbook lists.

However, the NAACP spokesman declared that his group strongly objected to the "racial slurs" and "belittling racial designations" in Mark Twain's works.

Published in 1885, "The Adventures of Huckleberry Finn" is regarded as one of Mark Twain's greatest works.

BUSSING PROJECT ABANDONED

Advertiser Montgomery, Ala. P. 6B

New York Drops Mass Integration Plan

Wed. 12-4-57

1480

N.Y.

NEW YORK, Dec. 3 (AP)—The board of education today abandoned the idea of mass bussing pupils as a school integration measure.

A study of school integration prepared by associate superintendent of schools David H. Moskowitz said in part:

"Mass bussing of children would do violence to the concept of the neighborhood school, would destroy the many benefits which accure from it, and would with good reason be opposed by the community."

New York has no legal segregation in its 900 public schools. But because some of them are in predominantly Negro or Puerto Rican neighborhoods, they are schools that are in effect segregated.

Last spring the board of education experimented on a small scale with transporting pupils from segregated schools to more distant integrated schools.

The move aroused a storm of controversy. Critics complained that the effect was not to raise standards in segregated schools but to lower standards in the others.

Moskowitz's report was intended to bring the board of education up to date on integration progress in line with recommendations put forward 18 months ago. It dealt mainly with new schools constructed or planned in racial fringe areas and with improvements to existing facilities. The report read in part:

"It is the conviction of the board of education that the choice of a site for the construction of a new building and the determination of district lines for the zoning of a school can contribute toward the program for integration within the framework of the neighborhood school concept. This is particularly true on the junior high school level where the schools draw pupils from areas considerably larger than areas served by elementary schools.

"One factor that is responsible for the survival of the homogeneous character of certain schools in the city of New York is the segregated residential patterns of the communities served by these schools. This is an unfortunate condition of present day urban life with which the schools cannot cope directly

Advertiser

"Marginal or peripheral sections of homogeneous neighborhoods. and fringe portions of adjoining neighborhoods in which various ethnic groups overlap afford the best opportunities to promote integration and are selected, wherever possible, as areas for the construction of new schools."

Wed. 12-4-57

P. 2A

N. Y. board finds—

News P. 23

Mass transportation fails to aid integration

Birmingham, Ala.

Wed. 12-4-57

NEW YORK, Dec. 4—(AP)—A board of education report has scotched the idea of transporting children to distant schools for purposes of integration.

Such transportation, the report says, would do violence to the concept of neighborhood schools, would destroy the many benefits which accrue from the concept and would, with good reason, be opposed by the community.

1480

The report, prepared by Dr. David H. Moskowitz, associate superintendent in charge of the board's division of housing, was made public yesterday by Schools Supt. Dr. William Jansen.

The mass transportation idea experimented with on a small scale last Spring, met with much controversy. Critics complained that its effect was to lower standards in nonsegregated schools.

ACTUALLY, the city has no formal segregation in its 900 public schools. However, because some neighborhoods are almost entirely Negro, Puerto Rican or white, schools in these neighborhoods, in effect, are segregated.

The report also pointed out that more than half the elementary and junior high schools completed or planned in the city in the past three years were deliberately placed in bi-racial or 'fringe" areas to speed integration.

Integration of schools was recommended to the board by its commission on integration.

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500 NEGRO PUPILS ABSENT IN PROTEST

Act to Assail Board Policy on School Placement—Court Ruling Marked

1480

N.Y.

More than 500 Negro pupils received parental approval to stay out of two Harlem schools yesterday to protest the Board of Education's "intentional segregation policy."

N.Y. Times

P. 34 M.

Sat. 5-17-58

New York, N.Y.

In answer to a summons by the Parent-Teacher Association of Public School 133, about 38 per cent of the pupils of Public School 133, Fifth Avenue and 130th Street and 17 per cent of those from Public School 197 at 2230 Fifth Avenue, near by, did not answer the morning bell.

They remained away to commemorate the Supreme Court decision on integration handed down four years ago today and to celebrate School Integration Day, by which yesterday was known to the association members.

The parents and children had responded to a plea by the association's Junior High School Coordinating Committee to "keep your child home from school to pay tribute to the valiant fight of Negro students in the South and protest the inferior education being offered in Harlem schools."

Parents of sixth-grade children also were advised to attempt to register their youngsters in "the junior high schools of your choice." Under the board's policy, pupils must attend the junior high schools in their immediate locality.

About 100 parents followed the committee's recommendation by attempting registration at outlying schools but were refused and directed to Miss Truda T. Weil, the assistant superintendent of the district.

Miss Weil reminded them of the neighborhood school policy, said she was unable to help them and suggested that they take their grievances to the board.

The two elementary schools that the children attend and the junior high school to which they must go after the sixth grade are predominantly Negro. Miss Weil denied that the education programs were inferior and said she had a statistical survey under way that would prove her contention.

Integration in New York

1480

Times

P. 24 C

Tues. 9-2-58

New York, N.Y.

New York City's problem of integration in its public schools does not arise from lack of law, disrespect for law or reluctance to yield to court decision. Segregation has been illegal since 1920. The trouble has been that where a neighborhood becomes prevalently Negro or Puerto Rican in the occupancy of its housing, the public school reflects in its enrollment the nature of the neighborhood.

If a school is to be where the children are, the result tends to be automatic. It may be called school segregation by accident, or by happenstance, except that we all know that prejudice in one form or another is at the root of the fact that some neighborhoods are all Negro or all white, or mostly so.

The Board of Education here and the civic organizations interested in the schools were not happy about the segregation, even if it was accidental. The 1954 Supreme Court decision inspired a fresh and searching attack on the problem. The final report of the board's Commission on Integration, made public this morning, is a result.

The remedies suggested have been reported long since, as various subcommissions gave their findings. The progress toward putting them into effect has not been satisfactory. But we will say this: New York's conscience cannot be clear, on assuring equality of opportunity in education regardless of color of skin while shortage of funds or reluctance of teaching and supervisory personnel to serve in difficult areas is permitted to excuse delay in attaining the objectives.

The redrafting of school district lines, the transportation of some pupils, the purposeful location of new schools to advance integration—these and other measures can have their limited and worth-while effect. But one goal we know can be met, if we have the determination and the discipline. That is, to compensate by improving and enriching every "difficult" school with the installation of the most able, experienced teachers, reduced class sizes, guidance and counseling personnel, modern equipment and teaching aids.

POLICE TO PATROL 41 SCHOOLS HERE

Department Assigns Special Guards to Keep Order—7 Inside Posts Included

Times P.14

New York, N.Y.

Fri 1-31-58

The Police Department yesterday listed forty-one schools in the city where patrolmen were being posted to maintain order. Seven of the posts call for continuous patrol inside and outside the school.

Spokesmen for four of the schools reported, however, that patrolmen had not showed up for duty despite departmental assignments. In another school, the appearance of a patrolman came as a surprise to the principal, who had not requested him.

Deputy Police Commissioner Walter Arm noted that precinct captains could make assignments at their own discretion if they found that conditions warranted the posting of patrolmen.

At John Marshall Junior High School in Brooklyn, where George Goldfarb had been principal until he committed suicide Tuesday, a policeman was assigned to continuous patrol.

Similar duty was listed for a patrolman at Junior High School 258, at 141 Macon Street, Brooklyn, the scene of a number of neighborhood "incidents." The principal, Mrs. Martha Finkler, noted that a patrolman had been assigned there for about a year. His beat comprises the square block on which the building is situated.

Patrols Inside and Out

Police orders on the seven posts to be constantly guarded call for patrol inside and outside the school, including halls, stairways and basements. The other five such posts listed by Commissioner Arm are the High School of Commerce and P. S. 159 in Manhattan; Forest Hills High Sshool, Queens, and P. S. 40 and P. S. 60 in the Bronx.

At the High School of Commerce the principal, Vincent McGarrett, reported that the police, at his request, had assigned a patrolman to duty in the school's cafeteria area daily from 11:15 A. M., to 1:30 P. M. a year and a half ago.

A spokesman for P. S. 159 said a patrolman had been assigned to the school at one time, but had stopped coming in a few weeks ago.

Robert Greenberg, principal of P. S. 40, known also as Prospect Junior High School, said there was no patrolman on duty inside the school. He said there was a policeman directing traffic a block away at Ritter Place.

School Is Called Difficult

Mr. Greenberg characterized his school as one of the most difficult in the city, involving especially problems of behavior. Between September, 1956, and June, 1957, he reported, seventy-five students appeared before the courts, and from September, 1957, to the present, forty were involved in court cases.

The charges, he said, include extortion, assault, truancy and rape. A small number are brought into court, he added because of parental neglect.

Dr. Leo R. Ryan, principal of Forest Hills High School, asserted his school had never been patrolled despite a request he made in September, 1952, that a patrolman be assigned to the vicinity.

Capt. Edward Fitzgerald of the Maspeth Precinct explained that the school's interior was not on a patrolman's beat. He said Forest Hills High might have been included in the seven because of a misunderstanding. Precinct boundaries were changed last August, he noted, and the school had been in the Elmhurst Precinct.

Commissioner Arm said police assignments were upon the requests of school principals or higher officials. He said police would be posted at the following schools:

MANHATTAN

Charles Evans Hughes H. S., 351 W 18th St.

P. S. 11, 311 W. 20th St.

High School of Commerce, 65th-66th Sts., Broadway to Amsterdam Ave.

Edward Stitt Junior H. S., 164th St. and Edgecombe Ave.

George Washington H. S., 192d St. and Audubon Ave.

P. S. 159, 119th St. between 2d and 3d Aves.

BRONX

P. S. 40, Prospect and Ritter Avenues.

P. S. 60, 88 Stebbins Ave.

P. S. 99, Home St. and Stebbins Ave.

P. S. 140, 163d St. and Eagle Ave.

P. S. 51, 810 Trinity Ave.

James Monroe H. S., 172 Boynton Ave.

QUEENS

Grover Cleveland H. S., Grandview and Himrod Sts.

Andrew Jackson H. S., 116th Ave. and Francis Lewis Blvd.

Jamaica H. S., Gothic Dr. and 168th St.

Long Island City H. S., 41st Ave. and 29th St.

Queens Vocational H. S., 47th Ave. and 37th St.

Flushing H. S., Northern Blvd. and Union St.

Junior H. S. 16, 104th St. and Roosevelt Ave.

Newtown H. S., Corona Ave and 91st Pl.

Bayside H. S., 32-34 Corporal Kennedy St.

Forest Hills H. S., 110th St. and 67th Ave.

P. S. 10, P. S. 151 and Bryant H. S., 47th to 57th Sts. on 31st Ave.

BROOKLYN

Mark Twain Junior H. S., Neptune Ave., W. 24th to W. 25th Sts.

James Madison H. S., Bedford Ave. and Quentin Rd.

Lafayette H. S., Benson Ave. and Bay 43d St.

George Westinghouse Vocational H. S., 49 Flatbush Ave. Extension.

Samuel Tilden H. S., E. 57th St. and Tilden Ave.

Junior H. S. 263, Sutter Ave. and Bristol St.

Junior H. S. 166, Linden Blvd. and Van Siclen Ave.

Thomas Jefferson H. S., Pennsylvania and Dumont Avenues.

P. S. 210, Rochester Ave. and Park Pl.

Junior H. S. 258, 121 Macon St.

Junior H. S. 57, Stuyvesant Ave. between Green and Lafayette St.

Junior H. S. 73, 241 McDougal St.

P. S. 67, 51 St. Edwards St.

P. S. 117, 310 Willoughby Ave.

P. S. 50, 183 South 3d St.

Midwood H. S., Bedford Ave. and Glenwood Rd.

14d(1) N.Y.

Times New York, N.Y. Fri 1-31-58

The New York Times

ON GUARD AT BROOKLYN SCHOOL: Patrolman Percival Niles outside John Marshall Junior High School yesterday. The duty includes patrol inside as well as outside

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NGTON — When Sen. avits (Rep., N.Y.) in- [illegible] his school construction an[illegible] bill barring Federal funds from those areas where racial integration was practiced, he told the Senate:

"When a state or locality is in direct defiance of the Constitution and, the laws under the 14th Amendment, I see no justification for financial contribution by the Federal government."

P. 6

Puerto Rico And Negro Pupils Rise

Jansen Reports 20,000 Increase

14d(1)

The number of Puerto Rican and Negro children in the city's 704 elementary and junior high schools increased by 20,000 between November, 1956, and last September, Superintendent of Schools William Jansen reported yesterday.

During the same period, the white population of these schools fell by an equal amount. The bulk of these white pupils left for suburban areas, Dr. Jansen disclosed with the release of a twelve-page survey on the ethnic composition of city schools.

Herald Tribune

Expressing concern over the development, the superintendent said:

P.1

"How to keep people from fleeing the city is one of its most serious problems . . . I wish there were some way we could slow down this change. When people move around so much, it's hard to educate them."

Mon. 1-6-58

Dr. Jansen suggested that one way of halting the exodus would be the construction of more public housing for middle-income families. It is these families, seeking more play space for their children, he said, which are leaving the city for the suburbs. The report stated further:

New York, N.Y.

"This is a matter which merits very serious consideration by the appropriate local authorities."

Every borough in the city now shows an increase in Negro and Puerto Rican students, the report indicated. And since 1951, according to Dr. Herbert A. Landry, director of the Board of Education's Bureau of Educational Program Research and Statistics, the city has lost 75,000 white schoolchildren. "For every child who leaves," he pointed out, "we lose two of pre-school age, too."

The report revealed that the city lost 17,000 white children to the surrounding suburbs during the 1956-'57 school year. Of these, 12,740 moved to Long Island's Nassau and Suffolk counties. Only 1,869 pupils moved from Long Island to city schools during the same period.

Dr. Jansen pointed out in issuing the report that no pupil was asked any questions about his race or national origin in compiling it. The figures on race contained in it are, therefore, he said, based on the opinions of teachers.

Herald Tribune

An influx of about 10,000 Negroes and an equal number of Puerto Ricans accounted for the 20,000 new pupils. The report noted in this connection:

"Puerto Rican children are tabulated separately for two reasons. The main reason is that they present a special problem resulting from the difference in language, and we must make special provisions for teaching them English. Furthermore . . . many Puerto Ricans are white, and others are Negroes. There-

Mon. 1-6-58

New York, N.Y.

fore, they cannot be classified as all belonging to one race."

Figures Broken Down

The report gave a breakdown as of September, 1957, in the ethnic composition of elementary and junior high schools. This gave the following borough-by-borough picture of the pupil population:

Manhattan—35.2 per cent Negro pupils; 33.7 per cent Puerto Rican pupils; 31.1 per cent "others." (This last group, the report stated, is predominantly white but includes a few pupils of other races, such as Chinese).

Bronx—16,4 per cent Negro pupils; 22.2 per cent Puerto Rican pupils; 61.4 per cent others.

N.Y.

Brooklyn—19.9 per cent Negro pupils; 12.1 per cent Puerto Rican pupils; 68 per cent others.

Queens—12.4 per cent Negro pupils; 1.6 per cent Puerto Rican pupils; 86 per cent others.

Richmond—7.1 per cent Negro pupils; 1.5 per cent Puerto Rican pupils; 91.4 per cent others.

In the city as a whole there were 20.1 per cent Negro pupils; 15.4 per cent Puerto Ricans; 64.5 per cent others.

A large number of the new Negro arrivals in the 1956-'57 school year, the report indicated, came from Georgia and the Carolinas. There were 3,897 new pupils from these states. Another group of migrants (1,208) came from the West Indies exclusive of Puerto Rico and there were 12,905 pupils from Puerto Rico itself. Some students left city schools to return to these areas, the report showed, but their numbers were far smaller.

The material in Dr. Jansen's report paralleled the findings of a study made recently by the State Commisison Against Discrimination. This showed that the non-white population of the city and the state has increased more than 40 per cent in the last seven years.

Charges Grand Jury In New York Is Being Used By Advocates of Segregation

Globe p.1

Nashville Tenn

Fri 2-21-58

New York, Feb. 13—The Brooklyn grand jury investigation of the public schools "has been used by advocates of segregation as a justification of an archaic pattern of education and as a argument against compliance with the United States Supreme Court decision banning segregation in public education," the National Association for the Advancement of Colored People charges in a Board resolution released here today.

The resolution, adopted at the regular monthly meeting of the Association's Board of Directors on Feb. 10 and made public today by Dr. Channing H. Tobias, Board chairman, "condemns any type of investigation which merely furnishes grist for the propaganda mills of those whose prime purpose is to discredit integration in public education."

The complete text of the resolution follows:

The Board of Directors of the National Association for the Advancement of Colored People is distressed by the manner in which the grand jury investigating the public schools of Brooklyn has exploited the natural concern of the people of this city for the welfare of their children. What purported to be an investigation of the school has turned out to be an attack upon the city's entire eductaional system with thinly veiled overtones of racial prejudice.

Under the impact of this attack a distinguished educator has been driven to end his life and the school intimidated into an illconsidered mass purge of alleged trouble-makers without prior hearing for each individual case. The NAACP is as concerned as the Board of Education that the innocent be protected from the violent; but it is also concerned that each accused be granted the traditional American right to a fair hearing before being penalized. The summary suspension of alleged trouble-makers is not only unfair but also in violatoin of the state law. Moreover, no arrangements have been made for their supervision and instruction.

Any evidence of violence in our schools should be cause for grace concern. But publicity focused upon violence perpetrated by less than one per cent of nearly 1,000,000 students—in some instances by non-students—has given a false picture of New York's public schools throuhout the nation.

Globe p 4

We urge our city administration to meet this situation without hysteria or prejudice in the interest of the 99 per cent of the school population sincerely seeking an education.

Fri 2-21-58

But we condemn any type of investigation which merely furnishes grist for the propaganda mills of those whose prime purpose is to discredit integration in education. The present grand jury probe has been used by advocates of segregation as a pustification of ar archaic pattern of education and as an argument against compliance with the United States Supreme Court decision banning segregation in our public schools.

We offer our cooperation in any comprehensive plan to maintain our schools in their primary function of education.

1499

Jabs at NY Schools Unfair, Mayor Says

Constitution p.2

Atlanta, Ga.

NEW YORK, March 2 (AP)—Mayor Robert F. Wagner said today a Brooklyn grand jury investigating juvenile delinquency has given the city school system an undeserved "black eye."

People in other parts of the country have received "a very unfair picture" of the city's school system, the major said on the CBS radio program Let's Find Out.

Mon. 3-3-58

Wagner supported the board of education in its recent wholesale suspension of chronic troublemakers from the schools. He said he did not agree with the recommendations of the Brooklyn grand jury.

The assignment of policemen to patrol the hallways of public schools was the key recommendation of the panel. The proposal developed into a continuing controversy, aligning the grand jury and Kings County Judge Samuel Leibowitz against the board of education and Superintendent of Schools William Jansen.

Wagner said he believed the city's schools "are as fine as any in the country."

Wagner, declaring he did not wish to criticize any grand jury, said he supposed the Brooklyn panel had created "more of an interest in the problem among the people."

"But I thought that their recommendations certainly weren't in conformity to the recommendations of the board of education and the educational people who have, after all, the responsibility for running our school system,"

Open Special Schools For Problem Children

Daily News Jackson Miss

Mon. 3-3-58

NEW YORK (UP)—New York City opened two special schools today for some of the 945 children expelled as troublemakers from the city's violence - plagued regular public schools.

p.1

Mayor Robert F. Wagner said Sunday he had concurred in the board of education's emergency action to handle the difficult students.

But he sharply criticized a Brooklyn grand jury, whose investigation into school crime has prompted some emergency measures. He said the jury's negative attitude had unfairly given the school system a nationwide "black eye." He said people in other parts of the country "have, I think, received a very unfair picture of the school system."

The mayor said only one per cent of the school population is troublesome and "once in a while I wish somebody would say something nice...about the other kids who are darned fine and doing a good job."

NEIGHBORS OBJECT

One of the new troublemaker schools opened despite neighborhood opposition which was seconded Sunday from a pulpit.

The building, in the Greenwich Village section of Manhattan, is the old home of Public School 41 which now occupies an adjoining new building.

The Rev. Charles Howard Graf, rector of St. John's Protestant Episcopal Church, charged the building was a "firetrap, a dilapidated wreck, a building in such deplorable condition that no city agency or the fire department will declare it safe for occupancy."

Abandoned Schools Urged As Problem-Child Centers

14d(1)

By WAYNE PHILLIPS

City Council President Abe Stark yesterday urged that former school buildings be used as emergency educational and guidance centers for suspended students. He made the proposal in a letter to Mayor Wagner, Charles H. Silver, president of the Board of Education, and Superintendent of Schools William Jansen.

Times P.1

One or two special schools should be set up in each of the city's five boroughs, Mr. Stark said, to provide intensive instruction and guidance for problem children.

Wed 2-12-58

The city now has five special schools for problem children, and the Board of Education has asked for funds for six more. Dr. Jansen announced on Monday that three or four temporary schools for such children would be set up as rapidly as possible.

N.Y. N.Y.

Asks Supervision

"To permit actual or potential troublemakers to disrupt regular classes would be a mistake," Mr. Stark said, "but it would be just as wrong to leave them to their own devices."

To do so, he continued, might create a perverted attitude in their minds that mischief-making is the quickest way to get out of school."

"Rather than abdicate all responsibility towards these youngsters and allow them to get into trouble on the streets," Mr. Stark said, "I would prefer to see a dramatically new concept of education, guidance and recreation specifically geared to their needs."

Mr. Stark suggested that the city survey the more than twenty former school buildings in the city to see which could be used for the special centers he proposed. These schools have either been abandoned or are being used for other purposes. They represent a public investment of more than $25,000,000.

The special centers, he said, should have classes of not more than ten to fifteen pupils, and should be staffed with the most experienced teachers, guidance counselors, vocational advisers and psychiatric social workers in the city.

Times P.26

He recommended the utilization of staff specialists from various city agencies, including the Board of Education, Youth Board, Park Department and Community Mental Health Board.

Wed 2-12-58

If necessary, Mr. Stark said, some of the former classrooms could be converted into dormitory facilities and all-day supervision provided for those requiring extensive guidance.

Fears Aid Loss

Long-range proposals such as the use of Ellis Island, which has been studied by the Board of Education, could not be realized in the near future, Mr. Stark said. And his proposal, he noted, would enable the city to avoid losing state aid because of reduced school enrollment.

New York

The state gives the city $1.80 a day for each elementary school pupal and $2.1[illegible] a day for each secondary school pupil. With at least 6[illegible] students suspended under the new board policy the loss to the city—in next year's aid—has been estimate at about $1,000 a day.

N.Y.

The Mayor was also notified yesterday that the Henry Street Settlement, on the Lower East Side, was undertaking a $50,000 "crash program" to step up its services to problem children.

"The new program will allow us to double our average case load of about 180 children," Miss Helen Hall, director of the settlement said. "and thus improve the community's chances of preventing juvenile delinquency or halting a tendancy toward it."

In the program, Miss Hall said, the settlement would work closely with the five schools in its neighborhood, which have 7,000 students. The settlement is at 265 Henry Street.

Suspensions Criticized

Miss Hall and Winslow Carlton, president of the settlement, criticized the Board of Education's expulsion policy in their telegram notifying the Mayor of their new program.

"The expulsion of troublesome children is no panacea," they said. "It merely highlights a situation of long standing. We deplore the false economy that leaves the Board of Education without resources to deal constructively with these children."

The suspensions were also criticized yesterday by Joseph C. Noethen, assistant superintendent in charge of two Brooklyn school districts.

Three staff members of the Senate Special Subcommittee to Investigate Juvenile Delinquency took testimony from Mr. Noethen at his office in the Clara Barton Vocational High School.

The staff members came here with James Sullivan, chief counsel of the subcommittee, to determine whether a Congressional investigation should be made of the New York situation.

"The mass suspensions were a treatment of the symptoms and not the causes of the problem," Mr. Noethen told them. The Board of Education's action, he said, was more political than professional.

Suspensions should be left to the discretion of the principals or superintendents involved, Mr. Noethen said. He said more funds were needed for psychiatric and social staffs in schools and special schools for problem children.

After the hearing, a reporter asked Mr. Noethen whether racial conflicts were a factor in student lawlessness.

"My best integrated school is the one for delinquent boys." Mr. Noethen replied. "There is no racial conflict at all."

The Teachers Union sent a telegram to the Board of Education calling the suspensions "ephemeral and illusory."

Police Commissioner Stephen P. Kennedy announced his plans for watching suspended students.

"The police do not intend to act as baby sitters," he said. "If these individuals commit crimes they will be apprehended and taken to court for proper disposition, as is done with all violators of law."

Mayor Wagner is to confer with Governor Harriman at 3:30 P. M. today at the Governor's town house, 16 East Eighty-first Street, on the need for expanded institutional facilities for delinquent children.

A SOUTHERNER LOOKS AT NEW YORK

Must Get Tough with Hoodlums, Says Problem School's Principal

Constitution P.1 Atlanta Ga.

By AL KUETTNER

NEW YORK, Feb. 25 (UP)—Let me take you to a school in Brooklyn so plagued by violence and insubordination that 38 of its students have been kicked out in the last two weeks.

14d(1)

Wed 2-26-58

One out of five of the pupils here is Negro. Another 15 per cent are Puerto Rican. Thirty per cent are Jewish, including some children from European refugee families who only recently came to the United States.

N.Y.

It is one of the worst schools in the city for disciplinary problems. The 38 suspended under a recent city edict permitting such drastic steps against troublemakers represent 6 per cent of the citywide total.

Editor's Note: The United Press brought its Atlanta bureau manager to New York to get the viewpoint of a Southerner on whether race friction is causing the violence in the schools and on the streets. Second of three dispatches.

It is East District High School, a four-story stucco building with no playground. It sits in the midst of endless rows of ancient brownstone houses, now split into apartments, their stoop steps littered with open garbage cans.

This is a critical slum area and the school is on the front line of this big city's harrowing efforts to educate its children under trying conditions.

Threading through cluttered and narrow streets, the cab driver gave me as fervent a lecture on behalf of racial segregation as I've ever heard from Georgia Gov. Marvin Griffin.

"This was once a beautiful and peaceful section," the cabbie said. "Now it is filled up with Negroes and Puerto Ricans and your life isn't worth 25 cents on the streets at night."

With the combined gloom of the driver and the surroundings in mind, it is quite a shock to swing open the great doors of what was identified to me as "one of our problem schools."

Classes are just at period change and well-lighted and wide corridors are jammed with chattering teenagers. There has been no racial segregation here for years. Negroes move with seeming self-confidence among fellow students.

Constitution

RACES STICK TOGETHER

There's one point, however, that cannot escape notice — except for strictly school operations — Negroes and other racial groups tend to gravitate toward their own people at the school.

In the gymnasium, mixed groups are shooting basketballs at the six backboards, but the tendency is for Negroes — by choice —to line up together.

14d(1)

There was nothing apparent during a lengthy and unconducted tour of this school to indicate any group was being discriminated against. Yet, in the corridors in those typical after-hours wanderings, this tendency of racial groups to cling together persisted.

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Wed 2-26-58

Negro boys and girls, questioned at random, told me that relations with white pupils are cordial and friendly, that there are no inter-racial fights.

A white girl called out cheerily to a Negro as they left the building: "Have a nice weekend."

The place, in fact, seems like any high school the country over, except for the mixture of races. Where, then, are the troublemakers?

Well, 38 of them are out on the streets. Each will get a hearing to see whether he is to be permanently expelled. The others are under the determined thumb of Principal Louis K. Wechsler.

VALUABLE ADMINISTRATOR

Wechsler has been principal of East District High for six years. He has three characteristics that make him a valuable administrator for a school in such a neighborhood as this. He is a strict disciplinarian, he knows his job and he loves children.

Before coming here, he brought into line within a month a junior high school that had a history of rape, stabbings and theft; where a teacher was pitched headlong down the stairs by a pupil.

"You ask me if the problem in

CRISIS NO. 3:

Claim Race Not Factor In Trouble

Daily News

Jackson, Miss.

Wed. 2-19-58

By ROBERT E. BASKIN

Third in a series

Written for Jackson Daily News and Dallas Morning News

NEW YORK (Special)—New York officials—policemen, teachers and prosecutors alike—insist that racial conflict has had nothing to do with terroristic outbreaks in the public schools.

p. 1

They are frequently suspicious of any inquiries along those lines, particularly from a Southern reporter.

New York is the most intensely integrated city in the nation. Officially, it is determined to maintain and even extend that status.

But the real facts on juvenile crime from a racial standpoint are elusive.

14a(0)9

The police do not break down crimes or label criminals by race. Neither do tne schools have any statistics on the racial composition of their classes—only rough estimates by principals.

Yet New Yorkers will admit that the tremendous influx of Negroes and Puerto Ricans and the shifting racial characteristics of many neighborhoods have created grave problems. These undoubtedly are reflected in the schools and give rise to tensions whether officials will admit it or not.

Deputy Police Commissioner Walter Arm says that no racial pattern has been detected by police in the juvenile crime outbreaks.

GANGS INTEGRATED

"In the cases we've had involving racial conflicts, the causes are not actually racial," he says. "Those involved are just slum kids in poor neighborhoods. They're hungry, restless, confused, frustrated—poor kids in trouble.

"But in most of those neighborhoods you will find the gangs are fully integrated, containing whites, Negroes and Puerto Ricans.

"Occasionally there is a fight between a white gang and a Negro gang, but it is not a racial fight. It is a fight between two neighborhoods."

Arm concedes that more Negroes and Puerto Ricans live in the slum areas where most of the crime originates.

NEVER HAD SUCH CRISIS

Others point out that there is nothing new in this situation. New York, as the so-called melting pot of the nation, has always had minorities striving for recognition.

But it is generally agreed that never have the public schools had such a crisis as they have today.

The National Association for Advancement of Colored People has kept up a constant pressure to prevent any school from becoming all-Negro, despite the fact that a surrounding school area may be all-Negro.

"We had an excellent hign school in Harlem," a school official reports, without wishing his name to be used, "that eventually became all-Negro. There weren't any whites within miles.

NAACP DISPLEASED

"This displeased the NAACP. They demanded integration.

"The school board gave in to their demands. An effort was made to recruit white students from other areas to attend the school, just to achieve integration. About a dozen students agreed to go there.

Daily News

"But this didn't last long, and the white students dropped out. Finally the school had to be closed and the students moved to other high schools which were integrated."

Wed. 2-19-58

For several years the school system has been transporting students from one part of the city to another. This has resulted in some all-white schools receiving Negro or Puerto Rican students.

p. 2

Director of attendance, Arthur Clinton says that the greater part of this transporting has not been for reasons of integration but rather to carry students from overcrowded schools to uncrowded ones.

'TOKEN' INTEGRATION

But it is significant that the NACCP has demanded, and gotten, token integration.

School officials perhaps have been powerless under the circumstances, Great blocs of votes are involved, and control of municipal and even state politics can be determined by the way one racial group votes.

Dedicated professional school officials have no choice but to bow to their political overlords on policies affecting the races.

This unpleasant fact is acknowledged by everyone. But New York politics being what it is, there is no likelihood of a change.

Inquiries from a Southerner about the school crime wave here draw varying reactions.

SHOE ON OTHER FOOT

"So the shoe is on the other foot now," said one school official, noting the attention that Little Rock, Ark., and other Southern cities had had from the Northern press.

14a(0)

Other New Yorkers are quick to maintain that there is no comparison between the situation in Southern schools attempting integration and the school crime wave here. Most take Southern suggestions that the President send troops to New York as a not very funny joke.

Despite this, school and police officials were courteous to this reporter and answered most questions fully.

However, Brooklyn's County Judge Samuel Leibowitz, who impaneled the grand jury investigating crime in the schools, refused to talk, and his chief aide looked as if he would like to try to throw us out.

the New York school system today is racial, and I can tell you it is not and I mean it," Wechsler said.

He acknowledges, as do many New Yorkers, that the 41 per cent increase in the city's non-white population in the past seven years has created critical problems. For one thing it has brought a heavy influx of Negroes to this school.

NEWCOMERS' PROBLEM

"This problem is not because Negroes are Negroes," he said. "It is because they are newcomers. They are often at the bottom of the economic scale. They have not been recognized. And it is a sociological truth that until a person finds his place in society he is rebellious.

"We must learn not to get sentimental over race, but to get sentimental over people."

Wechsler then plunged with fervor into what he believes is the core of this city's school problem—it needs to get tough with the young hoodlums.

"We are reaping the product of 15 years of misdirected humanitarianism in our schools and we have done everybody, including the children, a disservice," he said.

SPECIAL SCHOOL

New York is preparing to open a special custodial high school for youngsters of a troublesome nature and Wechsler says the lack of such schools has been at the bottom of the trouble.

One of Wechsler's teachers, a veteran of 30 years in the New York school system, seems to catch some of the school's worst disciplinary problems .A number are Negroes or Puerto Rican.

"When I feel there is a need," he told me, "I will get one of these fellows up before my class and tell him 'I am not punishing you because of your race; I'm doing it because you deserve the punishment'."

Tomorrow: Puerto Ricans, a bigger problem than the Negroes?

14d(1) 1958 NEW YORK

Two Chief N.Y. Papers Kill AP Story Quoting Teachers On Race Strife

Courier 8-14-A

2-28-58

Charleston

S.C.

14d(1)

When an Associated Press roundup on the plight of public schools in New York City appeared on page one of The News and Courier Sunday, we reflected that at last the lights were turning on behind the paper curtain. Though the article approached the subject with the impartial and cautiously factual treatment that the public has come to expect of The Associated Press, a news agency serving some 1,700 dailies in the United States, nevertheless the fact of racial tension shone through the cold print.

The gist of the article was that teachers have lost control of the pupils, and that the worst problems are in New York neighborhoods heavily populated by Negroes and Puerto Ricans. Though school authorities officially denied that race is an important factor, unidentified teachers whose names were withheld from publication said it was.

Here is an opportunity, we reflected further, for the New York press to lift the curtain for the benefit of its own readers. They have long been confused and bewildered by what is happening to their children. We waited eagerly for arrival of The New York Times and The New York Herald Tribune Sunday papers to see what treatment they gave the AP story.

Of course this is old news to the newspaper editors themselves. They have been dealing with the subject for years — mostly by sweeping it under the rug, or by giving it a cleansing with soft soap. Here was an opportunity to print a moderate account by a writer—Hugh A. Mulligan—for an independent but not unfriendly news agency.

A search of the Sunday editions of The Times and The Herald Tribune that came to our office disclosed no sign of the Mulligan article. There were articles about schools. One of them appeared on Page 3 of Section 2 in The Herald Tribune. A four-column picture was captioned "School Pageant Marks Brotherhood Week." The story underneath it said:

"In a city where violence and delinquency have erupted in the schools in the last few weeks, a period of 'brotherhood' might seem a welcome reprieve. Brotherhood Week begins tomorrow. But in Manhattan school districts 12, 13 and 14, brotherhood is the practice rather than the exception. Once a year, it is simply and movingly recognized with a community-wide celebration of Brotherhood Week."

We turned to the page of The Times where Dr. Benjamin Fine, longtime education editor, usually presides. There was a story under "Education In Review" (New Goals Set For High Schools To Meet The Challenge Of A Changing World). The author was Gene Currivan. Has anything happened to Dr. Fine? Not long since he presented a rosy picture of conditions in New York schools. That was just before the roof fell in over Brooklyn.

While the New York papers and others behind the Paper Curtain have been exploiting race news from the South, they have kept largely silent on the subject at home. The only signs of serious strife in public schools—either Northern or Southern—come with racial integration. The Gressette committee of the South Carolina Legislature has just cited, quite correctly, the peaceful scene in this state.

The Paper Curtain press is unwilling to admit this obvious contrast. No wonder The Associated Press story about New York schools, tending discreetly to substantiate the Southern view, was killed in the two great New York papers. It wasn't "fit to print."

The Truth Will Make Us Free

World 8-8

14d(1)

N.Y.

B'ham Ala

Sat 3-1-58

Some days ago news releases blew to full proportions trouble in the New York integrated schools. Certain ugly practices were heralded to find lodging in those states making much just now over the question of school integration. It is, therefore, well that the United Press would bring in a Southerner to "get the viewpoint of a Southerner on whether race friction is causing the violence in the schools and on the streets."

In the coverage of conditions menacing New York's public schools, the statement of Principal Louis K. Wechsler to the interviewer should give intelligent light on the whole situation. He has been principal of East District High for six years. Here is his testimony:

"You ask me if the problem in the New York school system today is racial, I can tell you it is not—and I mean it."

The principal further stated that the 41 percent increase in the city's non-white population in the past seven years has created critical problems. He would have it known that this problem is "not because Negroes are Negroes, but rather because they are newcomers."

He inferred that these were often at the bottom of the economic ladder; that we must not get sentimental over race, but over people.

His release alleging that Puerto Ricans are bigger problems than the Negro should be interesting.

In common fairness to those who are struggling in these trying times to take their places in the educational agenda meant for all citizens, it is well that everybody seek the untarnished truth. It will do no good to blow up conditions of the New York integrated schools and lay the blame at the door of any one racial group.

The truth will make all of us free.

N. Y. C. Locates New Schools To Assure Integration

Post-Herald B'ham, Ala. P. 1

Fri. 2-28-58

EDITOR'S NOTE: Scripps-Howard Staff Writer Dickson Preston covered last Fall's events at Little Rock for readers of The Post-Herald. In the following dispatch he describes an integration problem as it affects New York City.

* * *

BY DICKSON PRESTON
Scripps-Howard Staff Writer

NEW YORK, Feb. 27—Segregation in New York State public schools has been illegal for 74 years.

Yet today there remain a number of all-Negro and all-white schools particularly on the elementary level.

These schools are not, of course, legally segregated. They are a happenstance of New York's "neighborhood" school districting system which assigns pupils to schools in their own neighborhoods with few exceptions.

Thus, in all-Negro areas such as Harlem and parts of Brooklyn, a school is unlikely to have any white pupils simply because there is none to assign it to. By the same token, many New York neighborhoods have no Negro residents.

Today Negro groups argue that the experience of mingling with children of other races should be an integral part of a child's education.

A case pending in New York County Supreme Court seeks a legal mandate to transfer a Negro girl to a racially-mixed junior high school outside her Harlem home neighborhood.

In this case, Mrs. Mae Mallory contends that her daughter, Patricia, 12, will "suffer educationally" if forced to stay in the Harlem school. She "will not have an opportunity to interrelate with children of other racial groups," according to the petition.

Some groups, among them the NAACP and the Urban League, have asked the New York Board of Education to transport children out of their home neighborhoods by bus in order to give them the experience of integration.

The board has granted this request in a few instances. In the Bedford-Stuyvesant area of Brooklyn, for instance, it permits high school children to choose among three schools.

Jansen and the board have agreed that, in building future schools, they will seek locations which will provide natural integration.

Thus, instead of putting a new school in the heart of a Negro district they will try to put it midway between neighborhoods which are white, Negro or Puerto Rican.

They are firm in rejecting requests by parents for transfers designed to avoid integration. One result of this has been a steady climb in the percentage of white pupils attending private or parochial schools. Another has been such an exodus to the suburbs that New York City proper has lost 5 per cent of its white population since 1950.

The School Board recently approved wording of a resolution stating that integration should be "a cardinal principle" of school zoning. But it rejected proposed wording that it be considered "the cardinal principle."

The whole situation is complicated by New York's vast influx of Puerto Ricans in recent years. They are classed neither as white nor Negro.

Veteran observers believe there is more racial tension between the Puerto Ricans and Negroes than between Negro and white. But nearly every one here agrees that racial clashes as such are not a major factor in the wave of juvenile crime which has stirred this city in recent weeks. What produces delinquents, they insist, is poverty and ignorance, not race.

Negro Mother Who Assaulted Teachers Sentenced To Jail

Advertiser Montgomery, Ala.

Sat. 3-8-58

P. 1

NEW YORK, March 7 (AP) — An irate mother was sentenced to 10 days in jail today for slugging two teachers in a Manhattan classroom.

Mrs. Mae Snuggs, 30, a Negro, was sentenced by a three-judge panel of Special Sessions Court.

Judge Matthew J. Troy told the woman, "We're not going to stand for anyone barging into our schools and assaulting teachers."

Mrs. Snuggs said she went to Public School 87 to complain about her daughter being hit by a teacher.

Dr. Herman P. Mantell, the school principal, said he had concluded a talk with Mrs. Snuggs about her daughter's behavior when the woman charged into Miss Marion Klein's classroom.

She began swinging at the white teacher, breaking her eyeglasses and knocking her against a blackboard, Dr. Mantell said. Then she turned on Arthur Simon, the assistant principal who also is white, hitting him and kicking at him.

"All the children were just petrified by the scene," he said.

Mrs. Snuggs pleaded guilty to attempted assault, a misdemeanor.

Republicans Plan More School Aid

53 Million Rise In Year in State

Herald Tribune P. 10

Mon. 3-17-58

New York, N.Y.

From the Herald Tribune Bureau

ALBANY, Mar. 16.—The Republican leaders of the Legislature today outlined a series of budget recommendations that would give the state's schools $53,535,000 in additional aid during the 1958-'59 school year.

At the heart of the program is a recommendation that basic per-capita payments to the schools be raised by 8 per cent and daily attendance aid be computed on a new formula avoiding periods of excessive absenteeism, thus raising such payments by about 2 per cent. This part of the package proposal would cost the state about $49,000,000.

Other important features would be extra aid to "high-tax" and "hard-pressed" school districts, notably those on Long Island, and funds to stimulate the teaching of science and mathematics.

$17,100,000 for City

New York City's share of the entire proposal would be roughly $17,100,000. This would include a grant of $375,000 for use in the "600" and "700" school programs. Mayor Wagner had asked $25,000,000 in state aid for the city's schools.

Education officials in New York expressed disappointment with the size of the city's share. Superintendent of Schools William Jansen said he was "most disappointed."

The entire school-aid package was announced jointly by Senate Majority Leader Walter J. Mahoney, of Buffalo, and Assembly Speaker Oswald D. Heck of Schenectady. Since their party controls both houses of the Legislature and Gov. Harriman has indicated he would look favorably on additional aid to education, it is probable the package will go through as outlined.

Actually, the program outlined by Sen. Mahoney and Speaker Heck will cost only $25,870,000 in the budget now being compiled. This is because the school year does not begin until September while the fiscal year begins in April. The remainder of funds for the program will be voted in the next budget.

Gov. Harriman has already proposed spending about $5,380,000 in additional aid to education. He said he could not find room for more in his $1,800,000,000 budget. But the Republican leaders pointed out today that they trimmed his proposed budget by some $20,490,000 and their plan "will utilize for education purposes all of the savings which resulted from the cuts. . . ."

The combined funds thus made available will be used by the Republicans to put over an omnibus program that incorporates features from bills already introduced by twenty-five legislators. It will be, the Mahoney - Heck statement pointed out, binding for only one year and subject to review in the next Legislature.

Its main features and their cost for a full school year are:

1. An 8 per cent increase in basic school aid, figured on a population basis: $37,300,000.

2. A change in the attendance formula, eliminating some of the worst absentee days and raising the average payment by 2 per cent: $11,700,000.

3. Special aid to districts with exceptionally high tax rates and rapid growth problems. Most such are located on Long Island: $3,460,000.

4, Adjustments in the formula for emergency school building advances to "hard-pressed districts": $500,000.

5. Underwriting certain expenses of mathematics and science teachers taking refresher courses: $480,000.

6. A grant to the Board of Regents for fellowships of up to $2,500 to 250 college graduates who would take courses in preparation for teaching: $475,000.

New York City Aid

7. Aid to New York City "for rehabilitation in terms of educational, health, recreational and spiritual needs" of pupils in "600" and "700" schools; $375,000.

8. Aid to school districts for experimental programs to teach "gifted pupils"; $200,000.

In addition, the Mahoney-Heck program would make mandatory an increase of $500 in teachers' minimum salaries—raising them from $3,500 to $4,000—and an increase in the minimum pension of retired teachers from $1,302 to $1,800. It was estimated this would cost local districts a total of $5,000,000. It will have no effect on New York City.

Observers here noted that the school aid program may become an issue in the coming gubernatorial elections. Both Sen. Mahoney and Speaker Heck have been mentioned as possible rivals to Gov. Harriman, who is expected to seek a second term. Today's announcement and its passage by the Legislature before adjournment will undoubtedly play a large part in the campaign.

White Pupils On Decrease In New York

Advertiser P. 5A
Montgomery, Ala.
Tues. 1-7-58

NEW YORK, Jan. 6 (AP)—New York City elementary and junior high schools lost about as many white pupils during the 1956-57 term as they gained Negro and Puerto Rican pupils, schools superintendent William Jansen reported today.

14d

Jansen said white pupils decreased more than 20,000 while Negro and Puerto Rican pupils increased 10,000 each.

He said the figures were based on estimates by teachers. No child was asked about race or national origin. He did not say why a report on ethnic origin was made.

Jansen said migration from Puerto Rico continued heavy during the term, with a great many more students coming here from there than were returning to the island. The same was true of Negroes from the South, he said.

Most of the white students were lost to suburban areas, Jansen said.

"It is understandable that people with children of school age desire to establish homes in areas with sufficient play space around the home," he said. "However it is believed by many that more families would remain in the city if there were more new housing available in the middle or upper middle income group."

CITY SCHOOLS NOTE EXODUS OF WHITES

Times P. 23
New York, N.Y.

20,000 Who Moved in Last Year Replaced by Negroes and Puerto Ricans

Mon. 1-6-58

By GENE CURRIVAN

More than 20,000 white pupils in the city's elementary and junior high schools have been replaced by as many Negro and Puerto Rican youngsters in the last year as New York's ebb and flow of population continues.

This was disclosed yesterday in a report on ethnic distribution made public by Dr. William Jansen, Superintendent of Schools. It showed that while Negroes poured in from the Southern states and the Puerto Ricans in equal numbers from their own Caribbean Commonwealth, the white pupils were leaving for the suburbs and other states. Much of the white migration was to adjacent New York counties.

Commenting on this migratory flow at a press conference at his office, 110 Livingston Street, Brooklyn, Dr. Jansen said he thought it represented a serious situation that could be corrected only by adequate housing here. He recommended more middle-class, inter-racial housing. He suggested redefining the term "middle class."

Sample Groups Listed

Dr. Jansen felt that if middle-class housing were provided for policemen, firemen, teachers and others on comparable economic planes, the exodus to outlying areas might be reduced considerably. What is now considered middle class, he said, is actually upper middle class and beyond the means of many of those who are leaving the city.

The seriousness of the situation was further pointed up by Herbert Landry, director of statistics, who said that the loss of one child invariably meant the loss of two pre-school children also.

The report showed that of those who left the city schools during 1956-57, Long Island received 12,740; Westchester and Rockland Counties, 2,606; other parts of New York State, 2,155; New England states, 1,577; New Jersey, 4,781, and Pennsylvania, 1,152. At the same time there were admissions of 8,446 from the same approximate areas.

Since no pupil is asked about his race or national origin all the figures were based on teacher opinion. Dr. Jansen said he believed it reasonable to assume that most, though not all, of the admissions and discharges listed were cases of white children.

"It is understandable," Dr. Jansen said, "that people with children of school age desire to establish their homes in areas where there is sufficient play space around the home. However, it is believed by many people that more families would remain in the city if there were more new housing available for the middle and upper middle income group."

Totals Are Listed

The figures for the five boroughs showed 145,116 Negroes, 111,652 Puerto Ricans and 465,964 other races in the elementary and junior high schools. This breaks down to 20.1 per cent Negro, 15.4 per cent Puerto Rican and 64.5 per cent for the others.

For purposes of the report all pupils not Negro or Puerto Rican were classed as white.

"Puerto Rican children," Dr. Jansen explained, "are tabulated separately for two reasons. The main reason is that they present a special problem resulting from the difference in language and we must make special provisions for teaching them English. Furthermore, as we all know, many Puerto Ricans are whites and others Negroes. Therefore they cannot be classified as all belonging to one race."

Dr. Jansen pointed out that of 704 schools listed in the report ninety-one had no Negro students, owing to the fact that none live near by. There are two such schools in Manhattan, eight in the Bronx, nineteen in Brooklyn, Fifty-five in Queens and seven in Richmond. There are seven schools, all in Harlem, with no white pupils.

Another indication of the ethnic distribution was given in the following figures: 342 schools have 90 per cent or more white pupils; thirty-five have 90 per cent or more of Negro pupils; seventy-seven have 90 per cent or more of Puerto Rican and Negro pupils; and one has 90 per cent of Puerto Rican pupils.

The Bronx and Richmond are the only boroughs where there is no school having more than a 90 per cent Negro or Puerto Rican student body.

Manhattan has one school in the heart of Chinatown, with 92 per cent Chinese pupils.

RACE STUDY FILED IN NEW ROCHELLE

Times P. 37
New York, N.Y.

New York Experts Submit Integration Formula for City School System

Thurs. 1-9-58

By MERRILL FOLSOM

Special to The New York Times.

NEW ROCHELLE, N. Y., Jan. 8—This suburban city today began studying a formula for school integration recommended by a team of New York college professors.

14d

The city has an exceptionally heavy concentration of Negroes in downtown areas. Of the 72,848 residents, 9,804 are Negroes. Racial imbalances in the lower schools have become increasingly perplexing.

Last spring the National Association for the Advancement of Colored People and the local interdenominational Ministerial Alliance successfully opposed plans to build new elementary schools. The organizations contended that this would merely continue de facto segregation.

One of the plans proposed a $1,515,000 replacement for the 59-year-old Lincoln School, which is 92 per cent Negro. The plan's opponents agreed that the old building should be razed. However, they advocated distributing the pupils among predominantly white schools near by. The city has eleven elementary schools.

Recommendations

The Board of Education retained a survey team headed by Dr. Dan W. Dodson of New York University's Center for Human Relations. It included Prof. Arno Bellack and Prof. Edmund Reutter of Columbia University and Prof. Herbert Bruner and Prof. Roscoe Brown of New York University. Their fifty-four-page report, filed last night, recommended:

¶A "positive attack" by school leaders on the racial and socio-economic concentrations of pupils so that all the children would learn to study and play together.

¶Frank consideration of the race of pupils, along with other factors, in planning school buildings and classroom experiences.

¶Rearrangement of school district boundaries to give a more uniform distribution of racial groups and thus enable the school board to "orchestrate the community's school facilities in the interest of all the children."

¶Discontinuance of the outmoded Lincoln and Washington schools, construction of a new Lincoln school for primary classes and utilization of the Washington building as a school board headquarters.

¶Construction of a network of small neighborhood schools for lower grades to provide low-cost experimentation in merging racial groups.

¶Mobilization of governmental and community organizations to "attack the basic problems of race relations."

Strife Foreseen

Dr. Dodson told the school board that in a dynamic society these discussions would inevitably generate controversy and perhaps acrimony.

"This is not necessarily bad," he said. "It is the major way through which we are pushed into the more creative designs of life. No community can stay dynamic and remain a slave to yesterday's solution of problems."

The survey team noted that New Rochelle has an abundance of old houses that the non-white population had gradually acquired. It said that while the city accounted for only 9.5 per cent of Westchester County's population growth between 1950 and 1957, it had more than 18 per cent of the Negro growth.

New Rochelle Plans School Integration

Herald Tribune
New York, N.Y.
Thurs. 1-9-58

Special to the Herald Tribune

NEW ROCHELLE, N. Y., Jan. 8.—Rearrangement of present boundaries of school districts to secure better integration of racial groups and building of small neighborhood schools for primary grades where races could start their education together, is recommended in a 54-page report of a group of educators under study today by the New Rochelle Board of Education.

P. 16

The report, headed "Racial Imbalance in Public Education in New Rochelle," is the work of Profs. Dan W. Dodson, Herbert Bruner and Roscoe Brown, of New York University and Profs. Arno Bellack and Edmund Reutter, of Columbia University. They were retained by the School Board after some Negro leaders had complained that plans for school expansion would perpetuate a form of segregation resulting from concentration of Negroes in certain parts of the city. New Rochelle has a large Negro population.

Cited as an example was Lincoln School, with a 92 per cent Negro student body. A proposal to build a new $1,515,000 Lincoln School at the same location was defeated by voters at a referendum last year.

Today's report suggested discontinuance of the present outmoded Lincoln and Washington schools, building of a small Lincoln school exclusively for primary pupils, probably kindergarten through sixth grade, and use of the Washington building as a new school headquarters. Then other small neighborhood schools could be used in merging racial groups.

Vincent J. Attisani, president of the New Rochelle Board of Education, said the report would receive intensive study.

Reports New York Schools Lose 20,000 Pupils In '57

1420

NEW YORK (ANP)—A report issued here last week stated that some 20,000 white students left elementary and junior high schools of the city during 1957, but that the figure was matched by the enrollment of Negro and Puerto Rican pupils.

World p. 3

The figures were announced by School Supt. William Janson, who said Negro and Puerto Rican students increased 10,000 each. He added the increased enrollment of both groups was spurred by migration from the South and Puerto. The white students, on the other hand, drifted to schools in the suburbs.

Dw 1-21-58

Atlanta Ga

Janson said that in the estimates, made by teachers, no child was asked about race or national origin. He did not say, however, why a report on ethnic origin was made.

Mississippian Urges Troops To Quell Brooklyn Violence

Advertiser Montgomery Ala.

Fr 1-31-58

WASHINGTON, Jan. 30 (AP) — Rep. Williams (D-Miss) told his colleagues today that New York City officials obviously are unable to cope with violence in their schools.

p 6 F

1420

"Where are the paratroopers?" He asked.

Discussing recent violence in Brooklyn schools, Williams said no such things had occurred at Little Rock, Ark., where President Eisenhower called out troops in the school integration crisis.

"There is no comparison between Little Rock and Brooklyn," Williams said. "No students have been raped in Little Rock, no students have been stabbed in Little Rock, no students have beaten up teachers and there are no organized criminal gangs roaming the streets of Little Rock."

Eastern politicians who were "so vociferous during the Little Rock episode," Williams said, now are "silent as the tomb."

"Where are the paratroopers? Why is it that the President has not federalized the New York National Guard? Are our armed services to be used solely in the South to make sure that the President's private definition 'peace and order' is achieved?"

Williams referred in his bitterly worded speech to events in John Marshall Junior High School where a white girl was raped 10 days ago and other violence has occurred, and in another Brooklyn school where a Negro girl was raped Tuesday night. In both cases the assailants have been identified as Negroes.

In addition to the rape case, a policeman on duty outside John Marshall has been roughed up, and a recreational teacher has been assaulted inside the school. A police patrol has been set up in the building.

George Goldfarb, the John Marshall principal, leaped to his death from the roof of his apartment house Tuesday.

BOYCOTT PROPOSED IN SCHOOL CRIMES

Times p. 14

Juror Asks if Parents Can Keep Children at Home—New Attack Reported

New York N.Y.

By JAMES P. McCAFFREY

The foreman of the special grand jury investigating lawlessness in Brooklyn public schooles suggested yesterday that parents have their children boycott schools where crime is prevalent.

Wed 1-29-58

The foreman, A. George Golden, made the suggestion, after County Judge Samuel S. Leibowitz had read two anonymous letters to show that violence existed in Public School 67 and a probation report to show that threats of a teen-age gang had caused an assistant principal to seek a new assignment.

At the time, Judge Liebowitz and the grand jury had not yet learned of the suicide yesterday of George Goldfarb, principal of John Marshall Junior High School.

1420

Mr. Golden's suggestion was in the form of a question.

N.Y.

"Is there anything in the law that could prevent thousands of mothers and fathers from having their young children boycott the school until something is done?" Mr. Golden asked.

Judge Leibowitz promised to study the proposal, confer with District Attorney Edward S. Silver and then report back to the grand jury.

Reviews Police Demand

As the session was ready to adjurn, Mr. Golden repeated his demand that policemen be stationed in the difficult schools. Dr. William Jansen, the city superintendent of schools, previously had described such a proposal unthinkable.

Judge Leibowitz said the letters reported that last Thursday an eighth-grade teacher in Public School 67, at 51 St. Edwards Street, Brooklyn, had been attacked by a group of twenty boys and girls. The group, all students at a near-by high school, refused to leave the elementary school until the police were called.

One letter said the teachers were "now teaching behind locked doors." The second one, from a teacher, said "my parents are demanding that I quit before harm comes to me."

But later a different version of the incident came from Dr. Joseph C. Noethen, assistant superintendent in charge of schools in that area.

"It's not true," he said. "Some high school students got into the building and the police ejected them. No teacher was touched or assaulted and no damage was done." •

Teacher in Court

The teacher who was allegedly atacked was in Judge Leibowitz's courtroom yesterday. She said she had not written either letter and asked that her name not be revealed to maintain the safety of her family. She did not say anything about the incident.

"This shows a pretty clear picture of how demoralized some of our schools have become in this civilized community," Judge Leibowitz said.

The jurist then read part of a probation report on five youths who were to be sentenced later by Judge George J. Joyce for shooting three other youths on Sept. 17. The five defendants were identified as members of a gang known as the Stonekillers, which was described as feuding with another youthful gang known as the Chaplains.

Judge Leibowitz said that members of the Stonekillers had driven Sidney Gerschick, assistant principal at Public School 117, Willoughby and Kent Avenues, out of the school with threats.

Threats Follow Testimony

He said the threats followed Mr. Gerschick's testimony in the Children's Court against members of the Stonekillers. Judge Leibowitz said Mr. Gerschick, who was in court, was now awaiting a new assignment at the Board of Education, 210 Livingston Street, Brooklyn.

"For a month, Mr. Gerschick had gone to school, stayed in school, and then went home accompanied by a policeman," Judge Leibowitz said. "The Stonekiller gang drew straws to see who would take care of Mr. Gerschick. The gang members told police that 'we were only going to break some of his bones.'"

Judge Leibowitz said Mr. Gerschick recently ordered suspension and transfer to other schools for members of the Stonekillers. As a result, the jurist said, the school official had been getting telephone threats.

"It would have been worth the presence of ten cops if we could have prevented the rape of that little girl in Public School 210," Judge Leibowitz said. "Now the Board of Education is daring you to do something."

TEACHER SCARCITY CONTINUES IN CITY

Times p 31C

New York

Jansen Reports Progress in Meeting Problem, but Calls Situation Serious

Thurs 4-10-58

SCIENCE HELP NEEDED

1420

897 Licensed Mathematics Instructors Also Sought in Senior and Junior Highs

N.Y.

By LEONARD BUDER

The city school system is making progress in meeting the current shortage of teachers, but the problem is still serious, Superintendent of Schools William Jansen said yesterday.

Dr. Jansen said at his weekly news conference that the school system was giving particular attention to the need for more science and particular attention to the need for more science and mathematics teachers in the junior and senior high schools. Even so, he said, the system is "losing some ground at the moment."

Dr. Irvin Sulo Hecht, coordinator of the Board of Education's teacher recruitment committee, said that the junior and senior high schools lacked 897 licensed mathematics teachers. In addition, thej unor high schools need 285 licensed general science teachers and the senior high schools—both academic and vocational—need 128 teachers of biological sciences and ninety-nine teachers of physical sciences.

Not only does the present teacher supply rate fall short of meeting existing needs, Dr. Hecht declared, but it is inadequate to take care of projected future needs, based on normal teacher-turnover and anticipated increases in the number of pupils.

On the "progress" side, Dr. Hecht said that in the year ended last Oct. 31 the city schools gained 1,148 regularly licensed teachers, bringing the total regular staff to 32,049 teachers.

However, because the number of regularly licensed teachers was not sufficient to fill authorized teaching positions in the schools, he added, the system had to employ 4,590 substitutes or teachers serving outside of their licensed categories.

Shortage in Junior Highs

Dr. Hecht said the shortage was most acute in the junior high schools. Of the 7,759 authorized positions on this level, 1,137 were filled by teachers with elementary school licenses and 1,667 by teachers with substitute status.

The percentage of regularly licensed teachers in the division, however, jumped from 71 per cent in October, 1956, to 80 per cent last October, Dr. Hecht said.

The statistics for the junior high schools include the seventh and eighth grades of elementary schools that offer programs on the junior high school level.

Of the 9,793 authorized teaching positions in the senior high schools last October, 1,776 were being filled by substitutes. The division had a net gain of 148 regular teachers and 571 substitutes in 1956-57.

Dr. Hecht described the elementary school teacher picture as "excellent." He said there was no shortage of regular teachers here, although instructors were needed in soms specialized areas.

He said there were indications that shortages in some subject areas in the junior and senior high schools would be improved.

Dr. Hecht attributed the shortage of science and mathematics teachers to the increase in school enrollment, "the increased desire on the part of students to take more science and mathematics," and the comparatively small number of college graduates with backgrounds in science and mathematics who enter teaching.

14d(1) 1958

NORTH CAROLINA

U. S. Court Dismisses Montgomery School Suit

News & Observer

Raleigh, N.C.

Thur 10-9-58

P-3

GREENSBORO (UP)—Federal Judge Edwin M. Stanley formally dismissed a school segregation suit from Montgomery County Wednesday.

Stanley filed the official order in U.S. Middle District Court here, in accordance with a decision he made Sept. 12 in the case.

The Montgomery suit was brought in 1955 by a group of Negro parents seeking admission of their children to white schools in the county. They attacked the State's Pupil Assignment Act and the Pearsall Plan, under which the Montgomery County School Board turned down the requests.

The Negroes charged that the State School Laws which enabled maintenance of a segregated school system were in violation of the 14th Amendment to the U.S. Constitution.

But Stanley ruled that the plaintiffs had not exhausted administrative remedies available under State law. He also ruled that state school officials could not be named as defendants in such action since the task of assigning pupils is in the hands of local school units.

N.C. School Enrolls Trio Of Negroes

Many White Children Absent to Avoid Incidents

Times Union

P-1

Jacksonville

WINSTON-SALEM, N.C., Sept. 4 (AP)—Three small Negro children enrolled at the previously all-white Easton Elementary School here today. Many white children assigned to the school either stayed away or went to other schools.

Dr. Craig Phillips, city school superintendent, said it is possible that many parents kept their children at home on the opening day to avoid any possible incidents.

"We expect the majority of these children to register in the next few days," he said.

Entrance Watched

The entrance of the Negroes into the school was observed by several white men parked in cars across the street.

One man, who identified himself as a member of the Citizens Government Council, a pro-segregation group, said, "we're just keeping them (the children) at home until they get the Negroes out. Then they're going back to Easton."

There were no incidents as the three Negroes and their mothers registered and departed from the school within 10 minutes.

Meanwhile a Negro girl returned without incident to Reynolds High School which she attended last year.

The enrollment of the four Negro children in the two predominantly white schools climaxed the start of a second year of token integration in three North Carolina cities.

Integrated schools at Greensboro and Charlotte opened yesterday. Five Negroes were enrolled at one white school at Greensboro and two Negroes were enrolled in two white schools at Charlotte.

Won't Enforce Mixed Schools, Hodges Says

Philadelphia Inquirer

Philadelphia

Wed 4-9-58

P. J.

Gov. Luther H. Hodges, of North Carolina, said here yesterday his State would not use its authority to carry out integration.

In Philadelphia on a goodwill trip to sell North Carolina to industries "looking for new locations or opportunities in the Southeast," he said the question of integrated schools in his State is a "matter of local option."

"We have 250,000 Negro pupils in our schools, and our 9000 Negro teachers are well paid and teach in modern buildings," Hodges declared. "We have five Negro colleges that are State supported.

"In 1956 by a constitutional amendment, 160 out of 170 members of the State Legislature voted to return to local school boards complete responsibility for administering our schools."

Hodges pointed out that there are 100 counties in North Carolina and the Negro population in each area "runs from zero to as much as 60 percent," so that every county and community "has a different school problem."

"The problem of integration can and will be solved," he continued, "by real patience and understanding."

The Governor, North Carolina's chief executive since 1954, after two years as Lieutenant Governor, declared there were only 21 Negroes attending the University of North Carolina, but none was a member of the varsity football team.

Hodges said North Carolina does not have as much trouble with what he called "the Negro problem" as cities such as Philadelphia, Chicago and New York.

The Governor, who retired in 1943 as vice president of Marshall Field & Co., told a group of 75 local industrialists at a luncheon in the Barclay, "our Tar Heels from North Carolina are not here to 'raid' Philadelphia or take any of its existing industries away."

"This majority of these 100 North Carolinians has come here at its own expense to tell the 'North Carolina Story' of business and industrial opportunity," he added.

He said his State is looking for any kind of good industry and stated: "we don't offer cheap labor, free land, free taxes, or other gimmicks."

"We believe the best corporate citizens want to pay their own way . . . We have at least 160,000 workers available for industrial employment and North Carolina has a splendid record of labor-management relations."

14d(1) 1958

NORTH CAROLINA

Winston-Salem Parents Protest Integration

Star
pA 36
Washington D.C.
Wed 8-27-58

RALEIGH, N. C., Aug. 27 (AP).—There were signs of opposition to even token integration in North Carolina today as the state prepared for the second year of public school operation under its pupil assignment law.

At Winston-Salem, the City School Board faced a group of dissatisfied white parents seeking transfer of their children in protest over the assignment of three Negro pupils to a previously all-white elementary school.

The Charlotte School Board turned thumbs down on further integration, rejecting the applications of 23 Negroes for admission to white schools.

In rural Anson County, officers indicated "racial reasons" may have motivated the burning of two former white schools that have been turned over to Negroes.

Greensboro Steps Up Race

Of the three communities which broke away from traditional segregated schooling last year, only Greensboro stepped up the pace of token integration without drawing noticeable reaction.

Negroes in Durham and Raleigh, meanwhile, awaited court rulings on suits seeking admission to white schools.

The Winston-Salem School Board hearing was scheduled after 135 pupils at Easton Elementary School applied for transfer to other white schools.

Only last week, the board assigned the three Negro youths to Easton. The transfer requests of the white students listed integration or race as the reason for seeking a change.

City School Supt. A. Craig Phillips said the board would grant the requests under the Pearsall Plan or pupil assignment law. This requires a local school board to assign to a segregated school any child whose parents object to his attending a mixed school.

First in Winston-Salem

The admission of Negroes to Easton marks the first integration at the elementary school level in Winston-Salem.

The Charlotte board's action in rejecting the 23 Negro applicants means only two Negroes—first admitted last year—will attend white schcools this fall. The Pearsall Plan, however, permits parents to appeal the board action.

Consolidation as well as integration apparently was a factor in the Anson County school burnings.

A four-room classroom and auditorium valued at $90,000 was destroyed Sunday night. The next night, fire broke out in a $150,000 classroom building.

County School Supt. J. O. Bowman said, "Racial reasons appear to be the most likely cause of the arson."

Both schools had been redesigned for Negro use this fall.

Case Is Sent Back To State Authorities

News & Courier
Charleston
S.C.

By NOEL YANCEY

RALEIGH (AP) — When pupils flock back to Needham Broughton High School Wednesday, their ranks will not include 15-year-old Joseph Hiram Holt Jr., who sought to be the first Negro to crack racial barriers in Raleigh schools.

Tues 9-2-58

Federal District Judge Edwin M. Stanley ruled Monday against the youth who sought a court order compelling his admission to all-white Needham Broughton.

The judge said that young Holt and his parents had appealed to the courts before they had exhausted the administrative remedies provided them by North Carolina's pupil assignment law.

Their failure, he said, came when they sent a lawyer to represent them and did not appear personally at a hearing held by the Raleigh School Board on Holt's reassignment request Aug. 23, 1957.

'NOT ENTITLED'

Because of the failure to exhaust administrative remedies, Judge Stanley said, "the plaintiffs are not entitled to the relief prayed for."

He added, "A judgment will be entered in conformity with this opinion unless the plaintiffs file a written motion within 10 days requesting that the case be retained on the docket for the purpose of giving them an opportunity to adequately exhaust their administrative remedies."

This apparently gave the Holts and their lawyers the choice of going back to the Raleigh School Board for another hearing on the reassignment request or of appealing Judge Stanley's decision to the 4th Circuit Court of Appeals. Either process could take weeks, possibly months.

NO DECISION

One of Holt's Negro attorneys, Samuel S. Mitchell, said he and his partner, Herman L. Taylor, had not decided which course to follow. He pointed out that they had not seen a copy of the judge's decision.

"We certainly intend to do something, but we'd like to read the opinion at least before committing ourselves on a future course." He said he could not agree with the judge's conclusion that they had failed to exhause their administrative remedies under the pupil assignment act.

The decision was hailed by officials of Raleigh and the state. Raleigh Mayor W. G. Enloe, who is ex officio chairman of the school board, said, "It is gratifying to know the court has sustained the thinking of the school board."

HAVE A PLAN

Atty. Gen. Malcolm B. Seawell said, "The question of exhausting administrative remedies is important to the state because we have set up a plan. Those who have sought to dodge the plan have consistently failed to exhaust administrative remedies before appealing to the federal courts."

The court fight began more than a year ago when young Holt applied for admission to Broughton, located less than a mile from his home. It is several miles to Ligon High School for Negroes which the youth, now entering his junior year, is attending.

The school board rejected the application, and the youth appealed to federal court where the case has languished since. Judge Stanley held hearings on it several weeks ago.

The judge said the Holts failed to comply with the pupil assignment law when they failed to appear in person before the school board at the hearing on Aug. 23, 1957.

NEGRO YOUTH FAILS IN MOVE TO ENTER ALL-WHITE SCHOOL

Atlanta Jou

Constitution

By JAY JENKINS

Raleigh Bureau, The Charlotte Observer
Special to The Atlanta Journal-Constitution

RALEIGH, N.C., Sept. 6—A Raleigh Negro youth has failed in his effort to crack the color barrier in the public schools of the Capital City.

Jay Jenkins

U.S. District Judge Edwin Stanley declined to order the city school board to admit Joseph Hiram Holt Jr., 15, to Needham Broughton High School.

Judge Stanley ruled Holt came into federal court seeking relief before he had exhausted administrative remedies open to him under the state's Pupil Assignment Act.

Sun. 9-7-58

This ruling meant that North Carolina began the new school year without any court-ordered integration. "Token" integration in three Piedmont cities, undertaken voluntarily last year, was continued.

Young Holt and his parents had refused to attend two hearings called by the Raleigh School Board when the application was under consideration.

9.7E

The first hearing was called by the board before it had acted on Holt's written application for transfer to the white school. Judge Stanley said the Holts were not required to attend it.

But when the Holts later appealed to the board for a hearing, and the hearing was granted, they had no right to stay away and leave the matter in the hands of their lawyers, the judge said.

In federal court, the lawyers for Holt argued there was no such requirement in the Pupil Assignment Act nor in rules laid down by the local school board.

Judge Stanley pointed out the assignment law says that "reassignment of the child to such school will be for the best interest of the child and will not interfere with the proper administration of the school, with the proper instruction of the pupils there enrolled, and will not endanger the health or safety of the children there enrolled."

NORTH CAROLINA

The judge added that "such findings must be based on some type of evidence and certainly the board is entitled to interrogate the applicants for reassignments in re to these and other revelant factors."

He added that in school integration cases "mutual good faith on the part of the state and its citizens is required."

The Week in North Carolina

Ground was broken near Fayetteville by **Bishop Paul N. Garber** for a new four-year **Methodist College.** . . . The **State Highway Commission** and **Piedmont and Northern Railroad Co.** reached an agreement on a plan to give relief to an **oft-flooded** residential area in Charlotte, **Beechwood Acres.** . . . The **Advisory Budget Commission** allocated **$1.5 million** for capital improvements at community colleges in **Asheville, Wilmington** and **Charlotte.** . . . The **Commission on Reorganization of State Government** announced it will recommend **a multimillion dollar bond issue** to the 1959 legislature for the purpose of erecting a **state office building.** . . . **Judge Basil M. Boyd** of Charlotte's Recorder Court **stepped down** from the bench **"for a time"** after **Sol. Grady B. Stott** announced he will ask th Mecklenburg County Grand Jury to indic Boyd on charges of willful neglect of duty . . . A **Raleigh** wholesale notions salesman **Richard S. Townes Jr.,** 31, was chargec with the **$7,698 robbery** of a branch bank ir **Laurinburg** and **all** but $369 of the loot recovered. . . . **Dr. William R. Valentiner,** who guided the **North Carolina Museum of Art** during its first two years, **has resigned** to devote his full time to writing.

Facing the Music

Wake County **Sheriff Robert J. Pleasants** is piping music to cells in the county jail here in Raleigh during meals. One of the tunes: "Who's Sorry Now?"

FIVE REJECTED IN GREENSBORO

News-Observer
Raleigh, N.C.

Negro Students Turned Down In Attempt to Enroll In First Grades

Mon 8-29-58

P. 1

GREENSBORO (UPI) — Five Negro students were turned down Thursday in their attempts to enroll in first grades at two white or predominantly white Greensboro schools.

The Negroes, accompanied by their parents, appeared at Caldwell and Gillespie Park elementary schools as registration got under way for first-graders in the 1958-59 school session.

City Schools Supt. Phillip J. Weaver said later the five were rejected because the school board would have to act on their requests.

And, Weaver added, "The Negroes would have to be assigned first to the school they would normally attend before the school board could act in the cases."

Earlier this year, the Greensboro School Board decided to admit two more Negroes to the Gillespie Park School. At least five and possibly six others, hold-overs from last year, are expected to return when school opens next Tuesday.

Reassignment Requests.

At the same time, the board rejected a number of requests from Negroes for reassignment to the Caldwell School as well as to once again all-white senior high school here.

The Negroes who attempted to register Thursday at the Caldwell School were identified as William Edward Allen III, Lynda Denice Allen and Michael Anthony Tompiks. The Negroes who appeared at the Gillespie Park School were not identified.

If present school board plans go through, a total of 12 Negroes will enter white or predominantly white schools in three North Carolina cities next week. Two returnees from last year are slated for Charlotte schools and three new students and one hold-over from last year to Winston-Salem schools, in addition to the six and perhaps seven at the Gillespie Park School here.

Observer
P. 3

Meanwhile, at Winston-Salem, Schools Supt. A. Craig Phillips said the number of white students requesting transfer from Easton Elementary School to a non-integrated unit "has considerably increased" since Wednesday.

Phillips said latest figures showed 186 white students have asked for transfers from the school, which has a normal enrollment of 603.

A total of 134 of these applications were granted by the board Wednesday, and 30 more have been transferred to the Forsyth County school supervision.

Easton, previously an all-white school, is scheduled to receive three young Negroes when school opens Sept. 4.

In another action on Thursday, Judge Edwin M. Stanley dismissed Chapel Hill and Person County segregation suits that had become obsolete since being filed—one in 1950 and the other in 1951.

Charlotte Refuses To Add Negroes In White Schools

Courier-Journal
Louisville, Ky.
Wed 8-27-58

Charlotte, N. C., Aug. 26 (AP)—The Charlotte City School Board, which admitted five Negroes to white schools last year, Tuesday denied the request of 23 Negroes and of several white children also denied transfers to other schools have until next Tuesday to appeal.

P. 16

Eighteen of 23 were also denied assignment to white schools last year. Among that group was Kelly M. Alexander, Jr., the son of the North Carolina president of the National Association for The Advancement of Colored People.

Of five Negroes admitted last year, three completed the year. Two of these will return to white schools this fall.

All Is Quiet In N. C. Preceding Opening Of Mixed Schools

News-Courier
Charleston, S.C.
Sun 8-31-58

By CHARLES L. WEST
Associated Press Writer

An atmosphere of quiet precedes the opening of integrated schools this week in Charlotte, Winston-Salem and Greensboro.

It is the second year, in the 119-year history of public education in North Carolina, in which a token number of Negroes will share classrooms with white students.

Segregation is still the rule. Integration moved forward at less than a snail's pace — 13 Negroes assigned to white schools of the three cities this year, compared to 11 last year.

P. 6-C

CAUTION

With the ever-present possibility of violence masked by the surface calm, caution is the watchword. But, school officials profess publicly to expect no trouble when Charlotte and Greensboro schools open their doors Wednesday and Winston-Salem Thursday.

Undeniably, there is a violence potential in the state when schools and the race issue meet. The flames which consumed two rural schools near Wadesboro on consecutive nights last week cast their hot light on this fact. There, the problem wasn't integration; it was that the schools, previously white, were to be used exclusively by Negroes this year.

'STRICT MEASURES'

In Charlotte, Dr. John Ott, assistant school superintendent, admitted that the "strict measures" (fewer assemblies, constant vigilance by student groups, no crowds) in force last year would again be instituted when a 17-year-old Negro boy returns to classes this week.

"And the police, of course, will be alerted," said Ott. He stressed, however, that he expected no trouble.

Parents of 134 white pupils at Winston-Salem's Easton Elementary School, using another provision of the same state law which permitted three Negro children to be enrolled, moved their sons and daughters to segregated schools. Parents of 58 more requested such transfers.

7 AT GREENSBORO

Greensboro again will have the greatest number of Negroes among its white student bodies. School officials admitted seven this year, compared to six last year.

Winston-Salem admitted four Negroes this year, the one high school student who broke the color barrier last year and the three elementary pupils; Charlotte will have only two Negroes in white schools, compared to four last year.

There could be additional Negroes admitted to the schools.

23 TURNED DOWN

Charlotte turned down 23 Negro applicants to white schools, Greensboro rejected 11, Winston-Salem denied transfers to 5. Parents of each of those applicants have the right to appeal to the school boards, then to the courts.

The Negro movement to enter white schools is by no means confined to the three cities where barriers have been lowered. It stretches from the coastal plain to the mountains.

Swain County and McDowell County Negroes, who tried in vain to enter white schools last year, launched no new efforts this year.

YANCEY BOYCOTT

In mountainous Yancey County, Negro children boycotted their eight - grade, one - room school. They sought not integration, but better facilities, or 80-mile round trip transportation to Asheville schools, attended by their high school-age brothers and sisters.

In Havelock, school board officials of coastal Craven County denied transfers to white schools to 14 Negroes who now have to attend classes in Beaufort, situated in neighboring Carteret County.

SUIT PENDING

On the Virginia border, Negroes of Caswell County have a federal suit pending in their efforts to enroll in white schools. Farther south, Montgomery County Negroes await action in a similar federal suit.

Federal Judge Edwin M. Stanley is expected to rule any day in a Negro boy's suit to enter Raleigh's white Needham Brought High School.

HEARING SCHEDULED

A federal court hearing has been scheduled for Sept. 26 in Durham, where two Negro mothers seek to enter their children in white schools and, in the same suit, attack the whole concept of North Carolina's school-race laws as unconstitutional.

And so the movement grows.

In Charlotte, 13-year-old Girvaud Lilly Roberts looked forward eagerly and without trepidation, to her second year in white Piedmont Junior High School. She had made friends, but:

"Some of the white students called me nigger, black. But I already know I'm black. That doesn't insult me."

North Carolina Negro Fails Integration Bid

Advertiser
P. 1
Montgomery, Ala.

By THE ASSOCIATED PRESS

The South's tinderbox of litigation over racial integration of public schools flared briefly Monday at Raleigh, N.C., a new spot.

U.S. Judge Edwin M. Stanley denied Joseph Hiram Holt Jr., 14, a Negro, an order for admission to the all-white Needham B. Broughton High School.

He said that when the school board more than a year ago refused to assign Holt to the school and set a hearing on its action, Holt and his parents should have appeared with evidence to support his application.

Instead, the judge noted, a lawyer represented the Holts before the school board and they appealed to the federal court.

Hence, Stanley held, all state measures for gaining admission to the school had not been exhausted as required under legal procedure.

DECREE DELAYED

The court delayed entering its decree for 10 days to allow a written notice that remaining state remedies will be tried. Resulting legal processes would extend well beyond Wednesday's school opening in Raleigh and leave the North Carolina capital's school fully segregated for the new term.

Tues 9-2-58

The white school is two miles nearer the Holt home than the Negro school which the youth would attend.

Limited integration already has taken place without conflict at the other major North Carolina cities of Charlotte, Greensboro and Winston-Salem. A total of 13 Negroes has been accepted for white schools in these cities for terms beginning this week compared with 11 last year.

Elsewhere on the integration-segregation front there was quiet, although a bit ominous in places.

At Norfolk, Va., police were alerted against agitation by outsiders. This is a critical point in the integration conflict since 17 Negroes are scheduled for assignment to white schools on Sept. 8 — a step that under state law means the automatic closing of the schools.

There were no developments in Arkansas, where like Virginia, a showdown is in the making.

At Gulfport, Miss., Clennon King, a Negro minister, announced that he would attempt Tuesday to enroll his 6-year-old daughter in an all-white school.

Carolina School Board Rejects Integration Bids

P.6B

Thur 6-26-58

CHARLOTTE, N.C. (AP) — The Mecklenburg County School Board Wednesday denied applications from 10 Negro children for assignment to white schools.

A board spokesman said that the "welfare and best interest" of eight of the pupils was the reason for their denial and two were mistakenly enrolled in a county school while living within a Charlotte city school district.

Parents of the children have 10 days, from official notification of the action, in which to appeal. The families are the same ones who applied for, and were denied, admission to white schools in the county last year.

County school board attorney Paul Ervin said, "The board took into consideration to the welfare and best interest of each child involved and based its decision on these points."

The county last year denied applications to break the school color line, explaining that during the year it would study the situation in Charlotte, Winston-Salem and Greensboro where a handful of Negro pupils entered previously all-white schools.

School Board Member Lacy Ranson said Wednesday that the board was "still studying."

Carrboro Negro Couple Planning Appeal In School Board's Ruling

News-Observer Raleigh, N.C.

Fri. 8-22-58

P.20

HILLSBORO, (UPI) — D. Paul Carr, Orange County Superintendent of Schools, said Thursday that a Carrboro Negro couple had appealed to the County Board of Education to reverse an earlier decision denying their son a transfer to a white school at Carrboro.

The request for a transfer for Stanley Vickers, 10, was one of several denied by the board at a meeting earlier this month. The children in question are now assigned to Negro school at Chapel Hill.

The requests for transfers were filed earlier when the Chapel Hill School Board announced it would charge tuition for non-residents attending Chapel Hill schools. There are no Negro schools in Carrboro and Negro children have all been assigned to Negro schools in Chapel Hill.

Most of the transfer requests were dropped when voters of Carrboro agreed to merger of the Carrboro and Chapel Hill school systems, a step which will allow Carrboro children to attend Chapel Hill schools without paying the tuition fee.

The merger does not become effective until July 1, 1959, but the Chapel Hill Board has agreed to allow the Carrboro children to attend the Chapel Hill schools during the coming school year without paying tuition.

Carr said Thursday that Mr. and Mrs. Thomas Lee Vickers of Carrboro had informed the Board in a letter that they intended to go ahead with attempts to have their son re-assigned to the new white elementary school a few blocks from his home in Carrboro. He has been assigned to a Chapel Hill school a mile from his home.

Carr said he will bring the appeal before the Board at its regular meeting here Sept. 2. Any decision by the county board will be effective only until the merger which will remove the Carrboro schools from the jurisdiction of the county board. The Chapel Hill school system is an independent administrative unit with its own board of education.

Coinjock Pupils Return To School With Escort

News Observer P.11

Fri. 9-19-58

Raleigh N.C.

COINJOCK—The holiday ended Thursday for 32 school children who live on Church's Island.

The school bus that transported them over the hazardous road on the island returned to duty under escort by a Currituck Deputy Blanton Saunders.

The children had been given the holiday because the Currituck Grand Jury complained the road was unsafe for their bus.

Harold Makpeace, Director of Secondary Roads, said he would given Supt. S. C. Chandler a definite directive before Monday on what to do about transporting the Church's Island pupils to Griggs School at Poplar Branch.

Makepeace also arranged Thursday for 35-mile-an hour traffic on the road. A highway patrolman will enforce the regulation.

"The Highway Department's only aim to make the road safe," said Makepeace.

The Grand Jury expressed fear the bus might topple into the Inland Waterway that runs along the road, the only one that gives access to the homes of the school children. Erosion has left drops up to nine inches along the narrow shoulder.

The State Highway Commission moved in to repair the road last spring but the Coinjock Development Corp., which holds a deed to the tract of land the road is on, objected. Commission forces moved out.

Dr. J. A. Smith and Thurman Briggs of Lexington owns the development company. It was learned in Raleigh that the federal government, in 1954 or 1955, sold the tract of land to them without reserving an easement for the State, which the government normally does in such cases. Records show the Commission notified the federal government that it had no easement.

The State contends now it has an easement through usage. The road has been maintained by the State since 1931, when it took over the county roads.

The road was paved in 1950 under the late Gov. Kerr Scott's 200 million dollar secondary road program.

It had been relocated about 1910 at the expense of the federal government and was maintained by Currituck County until the State took over the roads in 1933.

What Negroes Chiefly Want

News-Observer Raleigh N.C.

Sat 9-6-58

P.4

School openings in Charlotte, Greensboro and Winston-Salem this week, with a few Negroes attending predominantly white schools, demonstrated that North Carolinians of both races are determined not to have the kind of violence which has marked school openings at Little Rock and elsewhere.

There were no important incidents in any of the cities, with the only organized protest coming from the repudiated Ku Klux Klan at Greensboro.

Another incident at Greensboro was more significant, however, because it showed clearly the attitude of many Negroes. Two Negro students, a brother and sister, who attended a previously all-white school last year and made satisfactory grades, voluntarily asked at the last minute to be re-assigned to the all-Negro school they had attended prior to last year. Only last week these same children had requested assignment again to the predominantly white school and, had their request been denied, presumably would have appealed to the courts.

Once their right to continue at the predominantly white school was established, the children and their parents began thinking in terms of their own preference and convenience.

North Carolina Negroes, in general, have made it clear that what most of them chiefly want is recognition of their right to attend schools on an equal basis with white children. There have been comparatively few applications by Negro children to attend white schools since the Supreme Court of the United States ruled that they had a right to do so in 1954. Similarly, there have been few applications by Negroes to enter the University of North Carolina, although the right of graduate students to do so was established before the 1954 ruling and was extended to undergraduates shortly thereafter.

There is no question but that in large measure voluntary segregation will continue in North Carolina for a long time—if a truly voluntary choice is permitted. There is equally no question about the fact that, whatever white people may think, North Carolina Negroes believe that the 1954 Supreme Court ruling is the law of the land and many of them will resort to the courts, if necessary, to obtain compliance with that ruling. Most of them, however, would prefer to stay out of the courts.

Head of Integrated School Gets Guard

Times Union
Jacksonville, Fla

GREENSBORO, N.C., Jan. 2 (AP) — Authorites today ordered full police protection for Ben L. Smith, superintendent of Greensboro schools, which started limited integration last September.

City Manager James R. Townsend said full surveillance of Smith's residence was ordered after a five-pound rock was hurled through a window of the school official's home last night. It was the fourth such rock-throwing incident in recent weeks.

Fri 1-3-58
P.1

Five Negro children were admitted to previously all-white Greensboro schools last year.

Harford Co. delay was 'deliberate'

Afro American
Baltimore Md
Sat 1-25-58

CHARLOTTE, N.C. — The United States Court of Appeals for the Fourth Circuit has been asked to reverse a decision of Judge Roszel C. Thomsen that would allow Harford County until 1963 to completely desegregate its public schools.

The appeal was made on Thursday by NAACP attorneys Mrs. Juanita J. Mitchell and Tucker R. Dearing of Baltimore, and Jack Greenberg of New York.

It was heard by Chief Judge John J. Parker and Judges Simon E. Sobeloff and Clement F. Haynesworth Jr.

Judgement on the case has been reversed.

P.5

*

NO QUESTIONS were asked by the judges during the hour and a half long arguments by the NAACP attorneys and Wilson K. Barnes, representing the Harford County Board of Education.

The NAACP lawyers charged that the county's plan of gradual desegregation was not moving with "deliberate speed but with deliberate delay."

Mr. Barnes countered with the assertion that after 69 years of segregation in the county, a delay of seven and was not unreasonable.

* * *

IN THEIR brief the NAACP attorneys presented the question of whether the appellants were denied rights secured by the 14th Amendment when Judge Thomsen permitted the Harford County Board of Education to defer desegregation of certain schools and grades for one to three years and prolong high school desegregation until 1963.

Tracing the history of the case the brief recounted that early in 1956 a suit against the Harford County board was about to come to trial when the board issued a statement saying that any child could make application to attend a school different then the one he was attending.

On the basis of this and under the belief that all applications for transfers would be considered without regard to race, the brief said the plaintiffs dropped the suit.

However, the board later announced that it would desegregate only the first three grades of two elementary schools and rejected 45 out of 60 applications for transfer.

* * *

ON THE basis of this a new suit was filed but Judge Thomsen ordered the plaintiffs to seek an administrative remedy before the State Board of Education.

In February, 1957, the board adopted a new policy in which it said that applications for transfer would be accepted from pupils who wished to attend elementary schools in the area where they lived, if space was available.

Under this plan, five elementary schools and the sixth grade in two schools were opened.

* * *

AT A HEARING in April the Board unveilved a plan to desegregate all schools of the county by September, 1963.

Then in June the board came up with a new plan which would have permitted colored children, prior to 1963, to take special tests for admittance to desegregated high schools.

This plan received the approval of Judge Thomsen and it was from this ruling that the NAACP appealed.

* * *

THE ATTORNEYS said that the county's arguments about overcrowding of schools as a hinderance to desegregation were not valid since out of a school system of 14,000 children only 60 colored children had applied for transfer to integrated schools.

At the same time, the brief said, county officials admitted that white children coming into the county for the first time would be admitted to the schools, regardless of whether they were overcrowded.

It was further alleged that the "clear inference from the record has been that the sole reason for delay has been reluctance to admit" colored children.

Segregation Case Scheduled Today

14d(1) N.C.

Eve P. B
Tue 1-28-58
Charleston, S.C.

RALEIGH, Jan. 27 (AP)—A federal court hearing is scheduled tomorrow to consider a motion for a summary judgment in a Raleigh school segregation case.

Around noon, federal Judge Don Gilliam will interrupt the trial of Percy Flowers and 16 other defendants on bootleg liquor charges to take up the matter involving a Negro youth's request to attend Raleigh's all-white Needham Broughton High School.

Judge Gilliam postponed the hearing from Jan. 16.

The lawyers for the youth, Joseph H. Holt Jr., 14, contend the case involves only a matter of law and is one which Judge Gilliam should decide without a jury.

The Raleigh School Board attorneys, on the other hand, have requested a jury trial.

Holt has been denied entrance to the high school twice so far and now is seeking admission to its second semester which began Jan. 20.

If the summary judgment is denied, court officials said, a pretrial hearing would be held after which the case would be docketed for trial.

Young Holt and his parents filed a complaint last August after the school board turned down his application for assignment to Broughton for the fall term.

A motion by the school board lawyers to dismiss the action was not allowed by Gilliam last October. It was at this hearing that the school board requested the jury trial.

Two School Suits Are Renewed

News & Observer
Fri 3-14-58
Raleigh N.C.

GREENSBORO (AP)—The legal fight for integration of schools in Caswell County and Montgomery County will be renewed next week as attorneys seek to supplement two suits filed earlier in Federal Court.

In each suit, attorneys for a group of Negroes in each county have entered a motion asking that they be allowed to enter a supplemental complaint which attacks the Pearsall Plan.

Judge Edwin M. Stanley of Greensboro is to hear the motions in the Durham Division of Middle District Court. The motions will be presented Wednesday, March 26.

Action in the two cases had been delayed by agreement, apparently in view of the changes in North Carolina law following the Supreme Court's ruling against segregated public schools.

In view of these changes, the attorneys for the Negroes now are seeking to add to their original complaint so that each action will be a full test of the state school law as they now stand.

In the case pertaining to Caswell County schools, the Negroes contend they met every requirement of the Pupil Assignment Act, but have not obtained the relief sought.

They seek a court order directing that their children be assigned to schools nearest their homes on a non-segregated basis.

14d(1)

Since the original suit was filed Dec. 10, the Negroes' motion states, several events have occurred which should be included in the allegations of the complaint.

N.C.

The Negroes contend the actions constituted their meeting of the requirements of the state law, and that the relief they seek cannot be obtained under that law.

In their motion, the Negroes contend they protested the they reassignment of their to a segregated system about May 1, 1957, so the school board members would have "ample time to protect their interests prior to the opening of the schools for the school year 1957 and 1958."

The board, the Negroes contend, assigned the children to segregated schools, July 16, 1957, and then denied their request for reassignment at a rehearing held Sept. 3, 1957.

Following this, the Negroes asserted, they requested Charles F. Carroll, State Superintendent of Public Instruction, in a latter dated Oct. 8, 1957, to instruct the Caswell Board to reassign the Negro students.

The Negroes allege pertaining they received a formal letter from Carroll dated Oct. 18, 1957, stating he had no authority to grant the request.

In the suit pertaining to Montgomery County schools, the attorneys for a group of Negro parents filed a proposed supplement Sept. 13, 1956. The original suit was filed July 29, 1955.

The Montgomery County Negroes sought to obtain permission to enter the supplement after the Pearsall Plan was enacted into law, but further action apparently was delayed while testing the process set out by the new law.

Observer P. Mon. 2.17. Raleigh, N.C.

1480 N.C.

CHARLOTTE NEGRO SCHOOL THAT WAS ALLEGED TARGET OF KLANSMEN.

At Charlotte

Five Klansmen Jailed For School Bomb Plot

Observer P.1

Mon. 2-17-58

Raleigh, N.C.

CHARLOTTE, Feb. 16 (AP)—"We wanted to make headlines," said one of five admitted Ku Klux Klansmen in jail here today, charged with plotting to bomb a Negro elementary school.

The bomb plot failed.

Police picked up three men at the school when they arrived last night with two sticks of dynamite, already fused and capped. A police net picked up two others in their cars on a Charlotte street and another at his home.

Mecklenburg County Police Chief George Stevens said he expected more arrests soon.

Charges Incomplete.

Charges were incomplete against one of the three seized at Woodland School in Paw Creek. But the remaining five were charged with conspiracy to dynamite and violating the state Secret Society Law, which makes it a misdemeanor to belong to a secret organization which has as its purpose "circumventing the laws."

1480 N.C.

In addition, four were charged with burning a cross at the school last Feb. 5.

The bombing attempt was the third in this area in the last three months. The first occurred when a dynamite bomb was found at a Charlotte synagogue. In Gastonia, 18 miles west of here, 30 sticks of dynamite were found at a synagogue Feb. 9. A fuse had burned to within 1½ inches of the dynamite and then apparently burned out.

Charlotte Police Chief Frank N. Littlejohn declared the Klan was suspected in the Charlotte synagogue attempt and both Littlejohn and Gastonia Police Chief G. H. Peninger said they felt both attempts were made by the same group.

No Definite Link.

However, Stevens declined to discuss any possible linking of last night's school plot with the synagogue bombing attempts. Stevens did say that county and city police had been cooperating in "watching the Klan since its reorganization."

Stevens said the plotted bombing was meant as a warning to Negroes and followed rumors of racial incidents in the area of the school. The officer added that investigation indicated the rumors were unfounded.

Stevens quoted the defendants as saying they had decided "to wake them (Negroes) up."

The police captain identified defendant Lester Francis Caldwell, 32, as grand wizard of Klavern chapter 22, National Christian Knights of the Ku Klux Klan. Stevens said the other defendants — William Oliver Spencer, 28; David Dennis Quick, 23; Arthur Monroe Brown, 33; and Jack Ayscue, 28 — admitted membership in the klavern.

Observer P.3

Mon. 2-17-58

Raleigh, N.C.

Each was held in lieu of $10,000 bond. All are from Charlotte.

In addition to the cross-burning Feb. 5, Stevens linked the men with a bomb scare at the Woodland School Feb. 6. An anonymous caller told police that a bomb would explode in the school that day, but a thorough search turned up no explosives.

From the bomb scare, Stevens said, grew the idea of last night's bombing attempt.

"We wanted to make headlines," Caldwell told Charlotte Detective C. Y. Ross who worked with county police on the case.

Discussing Klan activities, Stevens said:

1480 N.C.

"We're not going to tolerate that sort of thing. This group, while they may think they're doing the right thing, actually they're a Fifth Column.

"I haven't found in the Ku Klux Klan yet any responsible citizen who contributes to the betterment of the community."

The police officer described Klavern 22 as a splinter group which broke from the North Carolina Knights of the Ku Klux Klan, headed by the Rev. James W. Cole of Marion, S.C. Cole, himself, is under indictment in Robeson County, N.C., charged with inciting in riot in that county at a Klan rally routed by angry, gun-firing Indians last month.

Desegregation Hearing Is Set

1480 N.C.

Post + Times Herald, P.A3

A hearing has been scheduled in the Charlottesville school desegregation case for May 12. Oliver W. Hill, an attorney for the Negro pupils said he will ask for desegregation to begin with the September term.

This was one of two developments dealing with school segregation yesterday. In Maryland, two St. Marys County Negro pupils asked Federal District Court in Baltimore for the second time to end segregation at Great Mills High School.

Sat. 4.12.58

The Charlottesville case will be heard by Judge John Paul in Federal District Court at Harrisonburg. On July 12, 1956, Paul ordered the Charlottesville School Board to end segregation by the following September and said:

"I am not willing that this court be a knowing and willing accessory to a policy which has as its purpose delay and evasion of the decision of the Supreme Court."

Washington, D.C.

The state appealed and the General Assembly enacted its "massive resistance" program against integration. On Dec. 31, 1956, the Fourth Circuit Court of Appeals upheld the decision and, on March 25, 1957, the U. S. Supreme Court refused to review it.

The Charlottesville case remained dormant then while the companion Arlington County case began another round of litigation as Judge Albert V. Bryan ordered seven Negroes into white schools last September. That appeal is pending before the U. S. Supreme Court.

In the St. Marys County case, Thomas C. Groves, 13, and his sister, Jean E. Groves, 14, asked the Federal Court to permit them to enter the all-white high school. In July, 1956, District Judge Rozel C. Thomsen told the Negroes they must exhaust administrative remedies before bringing their case to court. In their suit, the children said they were again denied admission to the high school when they applied last September.

Illness Of Judge Postpones Hearing On School Bias

P.1

Birmingham, Ala.

1480

RALEIGH, N. C.—(ANP)—Hearing on a request by the state to be allowed to intervene in a local school segregation suit was postponed last week because of the illness of Federal Judge Don Gilliam.

The hearing had been requested by state Atty. Gen. George B. Patton, shortly before he resigned. It asked that the state be allowed to enter the case as "friend of the court."

Sat. 5.3.58

...upreme Court Must Be Obeyed, Official Says

1480

PEMBROKE, N.C. (AP) — Decisions of the U.S. Supreme Court on school segregation must be obeyed as the law of the land, North Carolina Atty. Gen. Malcolm B. Seawell declared.

Advertiser

Speaking to the graduating class of Pembroke State College, the attorney general also predicted a halt to progress if public schools should be closed to escape the ban against racial segregation.

Wed. 6-4-58

"I do not like the action of the Supreme Court in the segregation case, but I know that, when that court speaks, its words become the law and remain the law until it changes its mind or until the people change the law," Seawell said.

Montgomery

Ala.

In reaction to the Supreme Court decisions, the North Carolina Legislature enacted laws in 1956 giving local school boards jurisdiction over school assignments. The new laws also give communities the opportunity to close their schools should the situation become intolerable.

Under those laws, 11 Negro pupils were assigned to previously all-white public schools last fall in Greensboro, Winston - Salem and Charlotte.

14d(1) 1958 NORTH CAROLINA

Court Turns Back Negro Attempt In North Carolina

Evening Star
Washington D.C.
Wed. 9-3-58
P. A7

RALEIGH, N. C., Sept. 2 (AP)—When pupils return to Raleigh's Needham Broughton High School tomorrow their ranks will not include 15-year-old Joseph Hiram Holt, jr., who sought to be the first Negro to crack racial barriers in the schools of North Carolina's capital.

United States District Judge Edwin M. Stanley, in a decision made public yesterday, ruled against the youth who sought a court order compelling his admission to all-white Needham Broughton.

The judge said young Holt and his parents had appealed to the courts before they had exhausted the administrative remedies provided them by North Carolina's pupil assignment law.

Their failure, he said, came when they sent a lawyer to represent them and did not appear personally at a hearing held by the Raleigh School Board on young Holt's reassignment request on August 23, 1957.

Because of the failure to exhaust administrative remedies, Judge Stanley said, "the plaintiffs are not entitled to the relief prayed for."

This apparently gave the Holts and their lawyers the choice of going back to the Raleigh School Board for another hearing on the reassignment request, or of appealing Judge Stanley's decision to the Fourth Federal Circuit Court of Appeals. Either process could take weeks, possibly months.

The court fight began more than a year ago when young Holt applied for admission to Needham Broughton, located less than a mile from his home.

Greensboro Admits Two More Children To Mixed Schools

Record
Atlanta Ga.
Wed. 8-13-58
P1

GREENSBORO, N. C. (UPI) — The Greensboro Board of Education voted Monday to admit two Negro children to predominantly white school here this fall but rejected similar requests from 11 other Negroes.

The board voted unanimously to admit Reginald McKoy and Constance Regine McKoy, children of Mrs. Luvater McKoy, to Gillespie Park Elementary School. They will transfer from Negro Bluford School.

Last year, the board permitted five Negroes to attend the Gillespie Park Elementary and Junior High Schools. Four of those are expected to return this fall. A fifth failed.

Two Schools Burn, Arson Is Suspected

Washington Post
Washington, D.C.
Wed. 8-27-58
P.A13

WADESBORO, N. C., Aug 26 (AP)—Police and school officials said today arson is suspected in the burning of two rural school buildings, formerly for whites, but scheduled for occupancy by Negroes this fall.

"Racial reasons appear to be the most likely cause of arson," said J. O. Bowman, superintendent of county schools

An eight-classroom building valued at $150,000 was destroyed by fire last night, one night after a four-classroom building and auditorium valued at $90,000 burned. Both schools are at Deep Creek, about 10 miles south of here.

Sheriff H. E. Rayfield said the county school board had heard rumors of discontent among both the white and the Negro population about the racial redesignation of the schools. He said the whites objected to losing their community schools and the Negroes feared that there might be white resentment if the Negroes used the buildings.

Dwindling numbers of white students prompted the redesignation of the schools, Bowman said.

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3 NEGROES ASSIGNED TO A WHITE SCHOOL

New York N.Y.
New York Times
Wed. 8-20-58
P. 30C

WINSTON-SALEM, N. C., Aug. 18 (AP)—The Winston-Salem school board, with one dissenting vote — from the board's only Negro member—assigned three Negro children to white schools Monday and rejected applications from five others.

The applications from the eight Negroes were among twenty-three reassignment requests approved and twenty-eight turned down by the board in one motion. The negative vote apparently was in protest of the Negro transfers that were denied.

The three Negro pupils were assigned to the new Easton Elementary School, previously all-white, a few blocks from their homes. They previously attended Diggs Elementary School for Negroes miles from their home.

The five rejected Negro reassignment requests were for transfer to Reynolds High School, which admitted one Negro to its student body last year.

The Rev. W. R. Crawford cast the only "no" vote.

The school board gave the same reasons for both granting some reassignment requests and denying others. It said it did so in order "to provide for the orderly and efficient administration of the public schools of Winston-Salem, the effective instruction of the pupils therein enrolled, and the health, safety and general welfare of such pupils."

N.C. School Enrolls Trio Of Negroes

Fla. Times-Union
Jacksonville Fla.

Many White Children Absent to Avoid Incidents

Fri. 9-5-58
P.1

WINSTON-SALEM, N.C., Sept. 4 (AP)—Three small Negro children enrolled at the previously all-white Easton Elementary School here today. Many white children assigned to the school either stayed away or went to other schools.

Dr. Craig Phillips, city school superintendent, said it is possible that many parents kept their children at home on the opening day to avoid any possible incidents.

"We expect the majority of these children to register in the next few days," he said.

Entrance Watched

The entrance of the Negroes into the school was observed by several white men parked in cars across the street.

One man, who identified himself as a member of the Citizens Government Council, a pro-segregation group, said, "we're just keeping them (the children) at home until they get the Negroes out. Then they're going back to Easton."

There were no incidents as the three Negroes and their mothers registered and departed from the school within 10 minutes.

Meanwhile a Negro girl returned without incident to Reynolds High School which she attended last year.

The enrollment of the four Negro children in the two predominantly white schools climaxed the start of a second year of token integration in three North Carolina cities.

Integrated schools at Greensboro and Charlotte opened yesterday. Five Negroes were enrolled at one white school at Greensboro and two Negroes were enrolled in two white schools at Charlotte.

Yancey County to Close Only Negro School Friday

News & Observer
Raleigh N.C.
P.10
Thurs. 9-18-58

BURNSVILLE (UPI) — Yancey County's only Negro school, Lincoln Park Elementary here, will close for good Friday.

The seven Negro students still at the Lincoln Park School will join 21 other Yancey County Negroes in commuting daily to Negro schools in Asheville, a daily round-trip of 80 miles.

Yancey County Schools Supt. Hubert D. Justice said the action to close the school was taken on a recommendation by the State Department of Public Instruction. The Department said seven students were not enough to warrant operation of the school.

Fourteen other Negro pupils who had been attending Lincoln Park boycotted the school earlier on charges it was in a state of disrepair. The Yancey County educational system secured a bus and is now transporting the 14 plus seven Negro high school students to schools in Asheville.

The seven who were left at Lincoln Park School had remained because their parents had said they feared the trip to Asheville might be too much for the children.

The Lincoln Park teacher, Cindy Ann Roland, will be transferred Monday to Hill Street Elementary School in Asheville. The elementary pupils will attend Hill Street School and the high school pupils are attending Stephens-Lee High School in Asheville.

Meanwhile, the Yancey County Board of Commissioners continued efforts to secure land for construction of a new Negro school here. Justice said Wednesday the Board hopes to have the land purchased by Oct. 6, but he said he did not know when the new school might be completed.

Many White Pupils Absent As N. C. Negroes Enrolled

News-Courier

Charleston, S.C.

By NOEL YANCEY

WINSTON-SALEM (AP)—While many white children either stayed away or went to other schools, three small Negro children enrolled Thursday at Easton Elementary School.

Fri. 9-5-58

There was no disorder of any kind when the three youngsters, shy and possibly a wee bit scared, arrived at the school with their mothers, registered and departed within 10 minutes.

Meanwhile, another Negro girl returned to Reynolds High School—which she attended last year—also without incident.

P. 10B

The enrollment of the four Negro children in the two predominantly white schools climaxed the start of a second year of token integration in three Tar Heel cities.

Besides Winston-Salem, the others are Greensboro and Charlotte where schools opened Wednesday. Five Negroes were enrolled at one white school at Greensboro and two Negroes were enrolled in two white schools at Charlotte.

The Easton school's first day enrollment reached only 322 as compared with the 603 which had been expected before the Winston-Salem School Board announced several weeks ago that it was assigning the three Negro children to the school.

Dr. Craig Phillips, city school superintendent, estimated that since the announcement was made about 200 white children had applied for and received transfers to other schools.

Phillips expressed the opinion that other white parents kept their children at home the first day because they feared there might be disorder. "We expect the majority of these children to register in the next few days," he added. Phillips estimated that the school's enrollment would total about 400 when these children return to school.

Several police officers and a highway patrolman were on duty for the school opening. Other officers were in cars stationed nearby.

A few white men sat in cars parked in private drives across the street from the school. One of them said, "They'd never have gotten the Negroes in there if they hadn't had all those policemen to help."

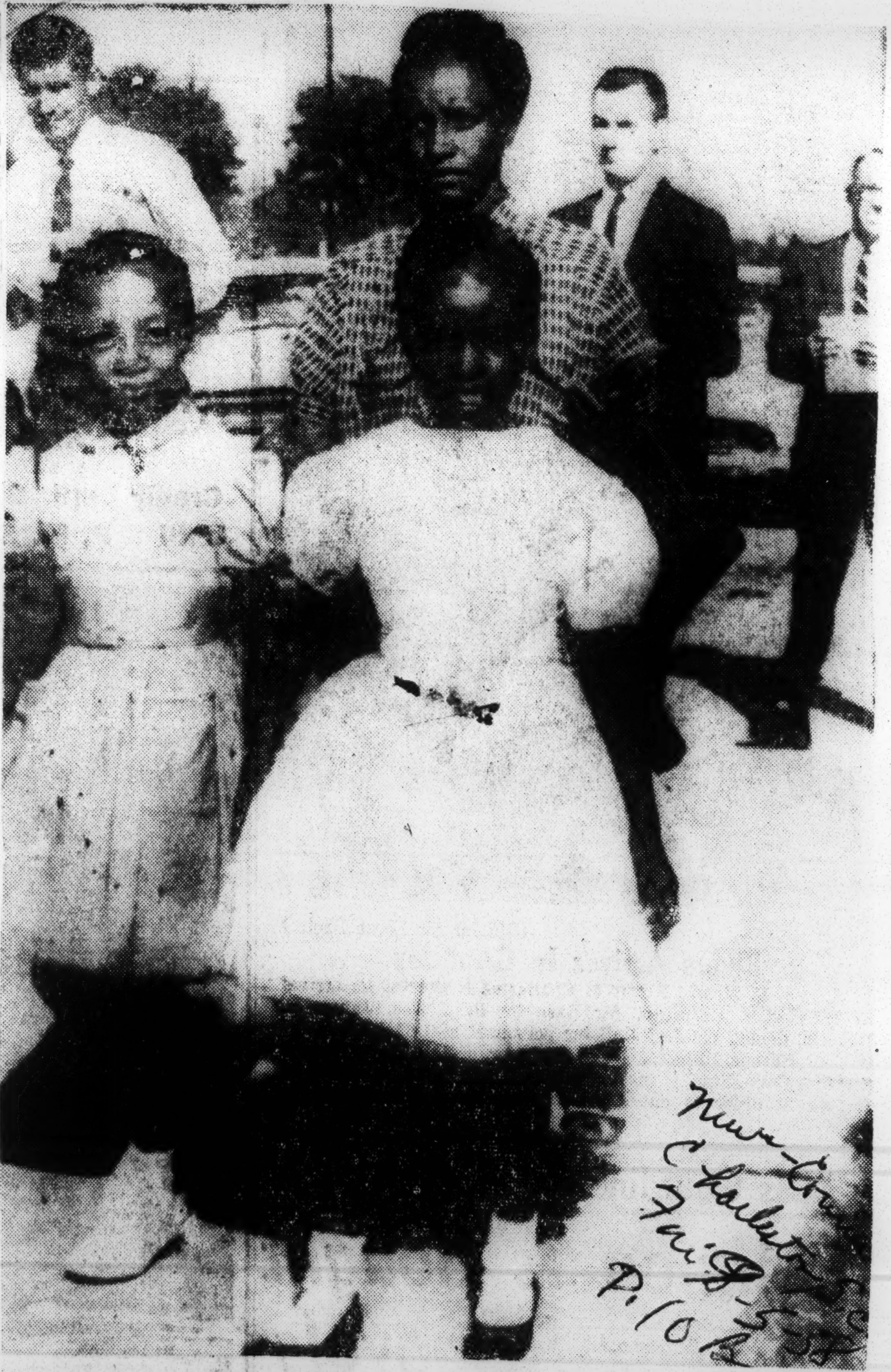
"They won't be there long," declared another.

One man who identified himsel as a member of the Citizens Government Council, which opposes integration, had his own explanation for the small enrollment.

"We're just keeping them (the children) at home until they get the Negroes out," he said. "Then they're going back to Easton."

The three Negro youngsters entering Easton were Kenneth Richard Cooper, 9, who registered in the fourth grade; his little sister, Roslyn Diane Cooper, 7, a second grader; and Norma Earnestine Corley, 7, also a second grader. They live a few blocks from the school.

Meanwhile, several miles away at Reynolds High School, little notice was paid as Gwendolyn Yvonne Bailey, 16, registered as a senior. She first broke the color barrier in Winston's schools when she entered Reynolds last year.



News-Courier
Charleston, S.C.
Fri 9-5-58
P. 10B

(AP Wirephot

NEGRO CHILDREN REGISTER AT WINSTON-SALEM SCHOOL
Mother Of One Child Accompanies Her As Newsmen Follow Behind

14d(1) 1958 NORTH CAROLINA PEARSALL PLAN √

Carolina Plan May Face Test In Court, NAACP Leader Says

Advertiser
Montgomery Ala

GREENSBORO, N.C. (AP) — An official of the National Assn. for the Advancement of Colored People said Sunday that North Carolina's Pearsall Plan—under which 11 Negro children were enrolled in all-white schools last fall—will be challenged in the courts unless it produces more than token integration.

14d(1)

Roy Wilkinson, NAACP executive secretary, told the organization's Southeastern Regional Conference that the Pearsall Plan is operating at "sub-marginal level."

Thurs 3-13-58

He predicted that if it is challenged in court it will be thrown out as unconstitutional.

The Pearsall Plan was designed to circumbent integration. It gave local school boards responsibility of assigning pupils. Last fall, six Negroes were admitted to previously all - white Greensboro schools, four in Charlotte and one in Winston-Salem.

The NAACP's drive to register southern Negroes to vote was a principal topic at the NAACP meeting.

Wilkins declared that only 25 per cent of eligible Negro voters are registered in the South.

Wilkins said he objects to a proposal made last week by Rep. Hays (D-Ark) that the South be given a "breathing period' by setting up a Congressional committee to make a one-year study of the results of the Supreme Court's school desegregation ruling. Wilkins said it would give certain Southern states more time to devise means to circumvent the law.

He added however, that he does not question Hays' sincerity. The proposal brought a statement last week from Clarence Mitchell, head of the NAACP Washington Bureau, that Hays, president of the Southern Baptist Convention, is unfit to head a church group.

NORTH CAROLINA FILES ANSWER TO ATTACK ON SCHOOL STATUTES

Constitution

By JAY JENKINS
Raleigh Bureau, The Charlotte Observer
Special to The Atlanta Journal-Constitution

RALEIGH, N.C., May 3—North Carolina's refusal to defy the law is a key point in the state's defense against the most recent attack on its school statutes.

Jay Jenkins

Atlanta, Ga.

This is set out in a brief prepared by Ralph Moody, assistant state attorney general, for Federal District Judge Edwin M. Stanley of Greensboro who has before him a request for an injunction that would force integration in Montgomery County.

Moody requested dismissal of the petition for an injunction. He said the state's administrative remedy for the relief of the plaintiffs, who sought transfer to white schools, is adequate.

"There is not in existence any resolution or order of the State Board of Education that says that segregation must be maintained," Moody said in the brief defending procedures for transfer of pupils.

14d(1)

"Two reports of the Advisory Committee on Education . . . do not contend that the people must defy the decision of the Supreme Court of the United States.

"The resolutions of the General Assembly do condemn the action of the Supreme Court in invading the rights of the states, but this is nothing more than was done in the case of Judge Learned Hand when he delivered his lectures at Harvard University only a short time ago.

Sun. 5-4-58

J. G. E.

"There are many people who feel certain decisions in regard to Communists, infringements on the rights of the states to

NORTH CAROLINA

control the practice of law . . . have gone much too far.

"Many people in the State of North Carolina think these things, and they have a right to criticize any branch of their government, but this is a far cry from saying that they will defy those decisions in law. This the people of the state have not done."

The Week in North Carolina

Two of the state's newest processing plants were dedicated in Martin County. One was a $500,000 chicken processing plant in **Robinsonville,** the other a $150,000 sweet potato canning plant in **Williamston. Gov. Hodges** called them illustrations of what cooperation at the local level could produce. . . . **B. Everett Jordan,** appointed to succeed the late Sen. W. Kerr Scott, said he favored extension of the Reciprocal Trade Act but felt that the textile industry needs protection from cheaper imports. . . . Raleigh Banker **LeRoy Martin,** member of the State Advisory Budget Commission, said the 1959 legislature should fix starting pay for teachers at $3,600, pay the teachers for an extra two weeks each year, and obtain the necessary $40 million per year to do the job by removing exemptions from the sales tax. . . . Harkening to complaints by Republican leaders in the state, the color of GOP ballots in the primary will be changed from red to green. Secretary **Raymond Maxwell** of the State Board of Elections said the Republicans contended the red color smacked of Communist tints, and added Democratic ballots would continue to be the traditional white. . . . In **Greensboro,** the student legislature decided that future searches in Woman's College dormitories for liquor or stolen articles will be conducted so as not to "violate the principles of personal freedom guaranteed by the Constitution of the United States."

Space-Age Fizzle

Rufus McNeil, arrested on the rooftop of a department store in Boone, told Police Chief Clen Richardson he had dropped onto the roof from outer space while riding Sputnik II. He was sentenced to five to 10 years in the inner space of a prison cell.

14d(1) 1958

NORTH CAROLINA

Here's An Insight Into Integrated Schools In North Carolina

By SOUTHERN SCHOOL NEWS

News & Observer

Raleigh N.C.

Fri 4-11-58

P. 17

After seven months of the term, ten of the 11 Negro students who were taken into previously all-white schools in Greensboro, Charlotte and Winston-Salem last September in a simultaneous "minimum desegregation" move, apparently will overcome difficulties of adjustment and finish out the school year.

The odds are they may finish in an atmosphere less fraught with emotional tensions than those that complicated their transfers at the outset, especially at Charlotte.

There is agreement on one point on all sides: The "token" integration is no longer a conversation piece.

Another apparent agreed verdict: The Negro pupils for the most part have found their school work more difficult in the new environment. Teachers and principals are credited with outstanding performances in handling the problems of classroom mixing.

Grades Secret.

In Greensboro, where six students were integrated into two previously all-white schools there is "less talk among parents," but most observers say there probably is little diminution of opposition by those who are simply opposed. "The opposed patrons," say some parents, "simply are resigned to the fact that there is nothing acceptable to them that they can do about it." Others in the community described as "radically opposed" haven't changed in their attitudes.

Greensboro school officials decline to give out grades of any pupil. But it is well known in the community that the single Negro girl in senior high school was on the honor roll for the first semester; that one student at Gillespie (where five were enrolled hasn't made passing grades; another made the honor roll, and three others ran the scale of academic standing in between those extremes.

A Father's View.

Hilton Perry, Randolph Street in Greensboro, one of the white parents who was, and is, opposed, made this comment on the scholastic record:

"As far as the children getting along in the school, I don't think they ever will, in numbers. I have three children, one in class with a Negro girl. They (the Negroes) go to the same cafeteria but they don't associate with their classmates and I don't see how they can be happy."

Perry said, however, the Negroes manage to go to school with whites at Gillespie without any extreme unpleasantness. "But the lack of fellowship, the loneliness, must be terrible. Their performance scholastically doesn't seem oustanding, although they are thought to have been chosen because they were outstanding in their own schools," he added. Perry said one effect was that people were moving out of his neighborhood.

White Child Homesick.

J. Howard Cockman, 519 Arlington Street, hasn't changed in his opposition to the move at Gillespie school. He was among the parents who preceeded under a provision of the Pearsall Plan to get transfers for six white children from Gillespie to other schools when it was known the Negroes would be enrolled there.

But now Cockman's daughter is back at Gillespie. She overcame her parents' opposition to her going to school with Negro pupils because, in Cockman's words, "she's back now at Gillespie because she was homesick for her friends there. She's in the eighth grade."

How did she feel about going to school with Negroes?

Said Cockman: "She was brought up in the church and her feelings about being in the school were not as strong as possibly mine or her mother's."

One of the Negro pupils is in the eighth grade. But Cockman noted "when my daughter went back to Gillespic she hadn't a single class with a Negro student . . . she's not in close contact with the Negro students." Cockman said parents don't hear as much talk as formerly and they are accepting it reluctantly. Prospects of a new school in the area that may alleviate future school desegregation has served to ease the situation.

Ben Smith, superintendent of Greensboro schools (soon to retire) comments only that the Negro students are "doing about as well as their previous records would indicate," scholastically.

School officials have been getting cooperation from parents of the Negro children in handling social extra-curricular activities.

Threats at First.

At Greensboro's senior high school the Negro student found herself shunned at the outset. When a group of young girls attempted to make her feel at ease they were threatened, but the threats weren't taken seriously and a limited group has continued to eat with her in the cafeteria.

School officials find it necessary to "stay on top of the situation" to keep down friction. It hasn't been easy. "Every time there is an incitement anywhere in the South, our telephones ring," said one school leader.

Quiet in Charlotte.

Charlotte schools remained relatively quiet since before Christmas when Dorothy Counts, harassed by fellow students, withdrew from the previously all-white Harding High School to which she was assigned. After that most attention was concentrated (at Charlotte) upon Central High School, where 16-year-old Gustavus Roberts is the only Negro student. Some segregationists declared: "Gus will be next."

There were minor incidents—name-calling, rumors of tripping in the hall. But the school administration kept a tight rein and Gus took care to avoid trouble. In October the segregationist Mecklenburg Patriots of North Carolina, Inc., urged parents through a direct mail campaign to request transfer for their children from Central High to segregated schools. They got one response, and it was withdrawn.

Student is Accepted.

Since then there has been no open parental opposition. Gus Roberts has been accepted as a part of the academic life (if not the social life) of the school. One student put it this way: "No one takes any notice of him . . . as far as social functions go, you'd never know there was a Negro in the school . . . most students realize what happened in Little Rock and wouldn't want it to happen here."

Gus had a difficult time academically. An "A" and "B" student at the Negro Second Ward High School, he made three "C's" and two "F's" his first semester at Central. His failed subjects were geometry and physics. Gus talks freely about this, balming it on inadequate mathematical preparation at Second Ward. School officials agree the quality of his work has picked up, and credit this to his own effort. He often spends most of his lunch hour in the library studying.

Member of Chorus.

The other two Charlotte Negro students' grades have dropped from above average to average marks. Fourteen-year-old Girvard Roberts, small for her age, is the only Negro student at Charlotte's Piedmont Junior High School. A teacher describes her as "immature." Early in the year she spent play periods with the Negro maid at the school but the principal halted the practice. Some pupils have been polite to her, but she is left out of most social events and rarely takes part in group games. But she's a member of the girls' chorus at the school. Girvard herself says many of her classmates have been friendly to her.

Least Difficulty.

Thirteen-year-old Delores Huntley, a seventh grader at another Charlotte junior high school (Alexander Graham) has had the least difficulty of any of the Negroes in integrated situations. The school in a midtown area was the one in which the most trouble was feared. But there have been no unpleasant incidents—not even name-calling.

Delores brought an "A" record to the new school but her first semester marks in the new situation included "B's," "C's" and one "D"—the last in mathematics, showing a pattern of difficulty in this area for all three Negro pupils.

No Great Stir.

At Winston-Salem, the presence of a Negro girl among the student body of R. J. Reynolds High School has created no great stir among either students or teachers. Gwendolyn Bailey is an honor roll student and takes part in the school's instrumental music program. Principal Claude R. Joyner says he and the teachers regard her as "just another student." Her attendance at classes has been entirely without incident. Joyner added that no student nor teacher has complained to him about her presence in the school.

A teacher said Gwendolyn is "absolutely by herself" during a typical school day. The teacher explained the girl hasn't tried to push herself forward and consequently has created no personal resentments among the faculty and student body of 1,800.

Some girl students eat lunch with her, said a student, explaining that there has been general acceptance of her presence. All the students and teachers interviewed said they had never heard an insulting or slighting remark made in the presence of the girl, but they said such remarks are made occasionally out of her hearing by both students and teachers.

What would be the attitude of whites if other Negroes are admitted to schools of the three cities next September? At Winston-Salem many persons agreed assignment of any sizable numbers would create more of a problem than Gwendolyn Bailey has created in her first year at the school. At Greensboro and Charlotte there was only uncertainty.

School Expels Negro Student For Fighting

Jackson News

Jackson Miss.

[illegible] 58

P. 1

GREENSBORO, N. C. (UPI) — One of five Negro pupils attending integrated Gilespie Park school here said today he has been expelled for fighting with white boys.

City school officials declined comment, saying that it is the policy of the school board not to give out information on personal, disciplinary action.

The youth, 13-year-old Russell Herring, said he was sent home from classes Tuesday.

"They called my father and sent me home. They didn't say when I could go back or if they would let me go back. I want to go back if they let me," he said.

The boy gave no details of the fights.

Phillip J. Weaver, city school superintendent, said, "It is not the policy of the schools to give out personal information. We believe that disciplinary action is a personal matter."

Gillespie Park Principal Banks Ritchie declined comment on the reported expulsion.

Two Schools For Negroes Burned Down

Herald Tribune

P. 6

New York

Wed 8-27-58

WADESBORO, N. C., Aug. 26 (AP).—Police and school officials said today arson is suspected in the burning of two rural school buildings, formerly for whites but scheduled for occupancy by Negroes this fall.

"Racial reasons appear to be the most likely cause of arson," said J. O. Bowman, superintendent of county schools.

An eight-classroom building valued at $150,000 was destroyed by fire last night, one night after a four-classroom building and auditorium valued at $90,000 burned. Both schools are at Deep Creek, ten miles south of here.

Wilmington School Lunchrooms Operate Without Federal Aid

By ELDRIDGE THOMPSON
News & Courier Roving Reporter
(Last In a Series)

WILMINGTON, N. C. — The white supervisor of Negro lunchrooms in the New Hanover County school system believes federally-supported lunch programs discourage a business-like operation.

Wesley West said, "the only connection I would want with a federally - supported lunchroom program would be the garbage rights. More food goes in the garbage cans than in the children's stomachs. I know, I've operated them."

Almost all of South Carolina school lunchrooms receive federal government aid. In fact, Miss Catherine Gaston, state supervisor told The News and Courier last month that "We simply couldn't operate a program without federal aid."

Here in Wilmington all the lunchrooms that operate without federal aid make a profit. They receive no outside help. Each lunchroom returns three per cent of the gross receipts to the county for utilities and purchases all the necessary equipment.

The high school cafeteria feeds approximately 1,300 students each day. The average per meal cost is 39 cents. But the cost depends upon the individual. Students select their lunches from several meats, vegetables and desserts. There's milk, ice tea, juices and soft drinks available to the students.

Mrs. Ruth K. Lodor, lunchroom manager, also supervises the lunch counter in the student union building. "When we opened the lunch counter we had no idea what it would do to our cafeteria," she said. "We still feed as many in the cafeteria as we did before. What we have done is discouraged students from eating at nearby public cafes and corner grocery stores. The lunch counter has been a big success. We sell an average of 350 pounds of French fries each day at the student union building. It's a profitable operation."

At the Negro junior high school approximately 700 students eat each day. There are only three fulltime employes. The rest of the work is done by students.

"When a student has worked for several years in the lunchroom he has no trouble getting a job with a public cafeteria," Roland said. "It's valuable training as well as profitable to the program."

Roland and his lunchroom managers admitted that they couldn't conceive of a school being unable to operate without federal aid. "Our 11 schools that operate without aid have no trouble. Most of our schools maintain a savings account as well as an operating account. They put some money back each month to buy equipment.

"I think the key to this whole program is good management," he said. "In the past we've had managers who couldn't make a go of it. We simply had to let them go."

Mrs. Lodor believes there are many advantages in operating a lunchroom under a cafeteria system. "Youngsters have likes and dislikes. If you have one stock lunch your meal may appeal to half your students. That means about half what you cook goes in the garbage can. This tends to encourage waste and waste leads to losses."

Another mistake schools make, Roland thinks, is in planning cafeterias. "At the high school we feed an average of 1,300 students each day. But we can only seat a maximum of 425. Our feeding period is long but it's easy to adjust the schedule to such a program."

In one Wilmington school the weekly payroll for help amounts to $337. But over a 15-year period, the lunchroom has made enough profit to replace all its equipment and add several thousands dollars worth of new equipment. The manager also financed the renovation of the cafeteria floor and today has more than $1,000 in the bank.

Some civic clubs in Wilmington provide money for free lunches. The PTA aids in other schools and the lunchrooms themselves use profits from their receipts.

"Every child that we know who needs help gets it," Roland said. "We don't send anyone home hungry if we know about it."

News & Courier
P. 1 B
Sat. 4-26-58
Charleston, S. C.

School Lunchrooms Operate Without Federal Aid

By ELDRIDGE THOMPSON
News & Courier Roving Reporter
(Second in A Series)

News & Courier

WILMINGTON, N. C. — While many South Carolina public school lunchrooms are finding it difficult to continue operation the remainder of the term, the program here runs without federal government aid and makes a profit.

Eleven of the 22 lunchrooms in New Hanover County have never received federal or state aid. They don't want it.

Charleston, S. C.

Mrs. Ressie Lee Pope, who has operated the Chestnut Street school lunchroom for 17 years, feeds from 1,200 to 1,300 students each day. Average enrollment for the school is 1,450.

"I have never had to ask anyone for a cent of help," Mrs. Pope said. "When I took over this lunchroom we had a single refrigerator and a stove. Since then we have purchased all new equipment and paid for it from our receipts."

The Chestnut Street school uses the cafeteria system. Each child selects his own lunch. There are always four meats, most of the time six, from which to choose. The number of vegetables varies from four to six and at least two desserts and salads are available.

Mrs. Pope said, "We bake our bread, rolls, cakes and pies. It's the only way to operate a cafeteria at a profit."

P. 1 B

Meals at the Chestnut Street school average 25 cents each. Some children bring their lunch and buy milk, or tea or fruit juices.

Fr. 4-25-58

The teachers guide children in the first four grades in making their selections of food. But after that it's strictly the business of the individual. "Some children probably don't eat a balanced meal each day but what they buy they enjoy," Mrs. Pope said. "We don't have much use for a garbage can. No one goes hungry here. Those who can't buy get a meal ticket. The Parent - Teacher Assn. either foots the bill or we take it from our profit."

H. M. Roland, for 28 years superintendent of New Hanover County schools, believes it's easier to operate a lunchroom profitably with a large enrollment. "But that isn't necessary," he said. "At Tilliston School we have an enrollment of 277. Our average daily participation in the lunch program is 74 per cent. At the beginning of the year the Tilliston lunchroom fund was $1,380. Today it's more than $700 and some equipment has been purchased and paid for this year."

At the Negro schools it is the same story. In the Negro grammar school the average participation is 50 per cent. (That's about 20 per cent above the state average).

E. I. King, the Negro manager at the grammar school, said the 600 students who eat in the cafeteria spend an average of 25 cents per day.

"I try to have at least four different meats and from five to six vegetables," King said. "We always have a dessert and a salad. It's up to the individual what he eats. Most of them select a good meal. Hardly any ever goes in the garbage can."

In the Negro lunchrooms, there's never more than three fulltime employes. The rest of the work is performed by students. The students get no pay except a free meal. It suits everyone concerned.

The county pays no one connected with the lunchroom program. There is no county supervisor as is the case in South Carolina. There is a manager for each lunchroom who is employed, generally, by the school principals and at times by the PTA. The managers employ their help.

Each lunchroom manager keeps her own records. Each month the county school board's auditor checks the books for the information of the managers. "This way they can tell right away if they are spending too much," Roland said. "There must be adjustments in the operations from time to time because the cost of food continues to go up and down."

Each lunchroom is equipped with a 20 cubic foot freezer. When there's a good food buy available the managers stock up. "It's as simple as operating a commercial cafeteria," Mrs. Pope said. "You can't do it any other way. Children, like adults, want good food. They don't all like the same kind of food, and that's why we give them a wide selection. They are happy with what they eat and they eat what they buy."

Two Negroes Returning To School In Charlotte

News & Observer

CHARLOTTE (AP) — Two Negroes, among four who broke the color line in Charlotte city schools this school year, will return to white schools for the coming year.

Raleigh N. C.

The city school board, which met Friday, assigned almost 30,000 students to schools for next year along racially segregated lines except for the two Negroes.

A Negro boy, Gustavus Roberts, who attended white Central High School and his sister, Girvaud, who attended white Piedmont Junior High School will attend those same schools during the 1958-59 year.

Sat. 5-31-58

A Negro girl, Delores Huntley, who attended white Alexander Graham Junior High School was reassigned to a Negro school. The junior high will be abandoned this summer and all its pupils were reassigned.

Sat. 5-31-58

The fourth Negro, Dorothy Counts, assigned to a white school for 1957-58 dropped out under student harassment after the first week of classes.

North Carolina's Pupil Assignment Law gives parents 10 days in which to appeal dissatisfactory school assignments.

Pupil Incentive Required If Curriculum to Succeed

News & Observer

(Editor's note: This is the last of a three-part series discussing public education and its problems in North Carolina.)

By CHARLES CRAVEN.

Raleigh N.C.

Tue 9-16-58

North Carolina public school officials say the curriculum is there—it's just up to students to take advantage of it. Talking to these officials, you might notice that they place a great deal of emphasis on the student's willingness to learn. The student incentive must be there,

or solid geometry will wither on the curriculum vine.

School men admit, however, that although the curriculum has been built to include much of the sciences, the quality of instructing them in a good many cases isn't all that is desired. Physics might be taught in little Moonshine Crossroads, but it's taught thinly and with inadequate laboratory supplementation. But at least physics is hanging onto the curriculum.

Local Support Poor.

The weakness in instruction of science in some schools lies with the fact that local financial participation in the school program is poor, resulting in lack of laboratory space and equipment.

At present the standard slate of work necessary to receive a high school diploma is arranged so the student is exposed to five fields of study plus a number of elective subjects.

The minimum overall course to enable graduation requires 16 units which are divided this way:

English, 4; Mathematics, 1; Science (including Biology) 2; Social Studies (including U. S. History) 2; Physical Education and Health Education, 1; Electives, 6.

Although only one math unit (general methematics or algebra) is required, more can be taken as electives. All schools provide at least three units in mathematics.

There has been much discussion as to the balance between the sciences and the humanities (language and arts). Should science be stressed more? Superintendent of Public Instruction Charles F. Carroll points out that a science student can get no where unless he can read. The idea is, of course, that the sciences and humanities complement each other. One cannot be intelligently emphasized without emphasis on the other.

Amplifying this concept, Carroll recently declared: "If we at all levels of educational endeavor will take advantage of the vast public interest in science and set a pattern of standards in this subject that can and will carry over into other fields of education—thus elevating the standards of all education—we shall strengthen our cultural, social, political and spiritual foundations as well . . . It is necessary that more people recognize science as being general education . . . that we understand that much of what is being taught—and accepted—in the name of science is not science but technology.

"It would be well if vast numbers of people would understand that science education will be strong if we have strong general education, but that general education will not be automatically strong if we strive to have strong science education alone."

Study Launched.

But under the policy of re-examination that has without doubt been given impetus by scientific advances in Russia, North Carolina has launched a curriculum study.

Dr. I. E. Ready, director of the study, has called for public participation in the study in the way of suggestions and criticism. He has contacted civic and professional leaders and discussions among them have been held.

Tue 9-16-58

So the North Carolina school system is a turmoil of questions and a few replies—if not answers. For instance, as to whether pay hikes for teachers would increase the quality of instruction, one interested citizen expounded: "Why no, they would not. They said through the years that if we'd raise the pay of legislators, we'd have better legislators. But the same old crowd keeps coming back."

The specter of racial integration has brought an area of gloom. Political leaders have cautioned that only understanding through education can eventually solve the problem. But the problem itself threatens the existence of education.

On the whole, Tar Heel school officials see new and improved horizons for mass education. A number of public schools in the State are currently experimenting with television classes. This technique is marked by regular classes in which teachers of the Greater University of North Carolina lecture and conduct experiments for the students who watch and take notes miles away.

In a preliminary study of the curriculum, Dr. Ready quoted Benjamine Fine: "Mass education is democratic education.

Boycott

News & Observer

p.1

Tue 9-16-58

Raleigh N.C.

DURHAM (UPI) — A mass meeting of Negro students at North Carolina College voted unanimously Monday night to boycott Durham merchants for what they called "prejudicial treatment."

The meeting of some 500 students was in protest to the college's omission from welcoming activities extended Duke University students by the Merchants Association.

Student Body President Jerome Dudley of Asheville, who called the meeting, said "we hope to work out a program that will show unmistakably that we resent being ignored in a community in which we spend nine months of the year.

"Our 1,800 students deserve at least a word of welcome," he said.

State's School System In Clutches of Dilemma

(This is the first in a series of articles dealing with the problems of public education and what is being done to meet them.)

By CHARLES CRAVEN.

News & Observer

p.1

Raleigh N.C.

Sun 9-14-58

The North Carolina public school system today is touched by irony.

Sharing the national desire for improving the quality of education in an age when it is tied in with survival, Tar Heels on the one hand evince an awakening to a greater need for an improved educational system — and on the other fail to provide enough funds for a first-class system of education and even set up machinery to abolish schools in given instances.

This irony—this dilemma—results perhaps in part from a low per capita income and the specter of integration with its varied implications in the minds of many North Carolinians. Their repugnance in the integration area and their inability to pay is made even more painful by the serious

Of the $175, tall, gentle-mannered Superintendent of Public Instruction Charles F. Carroll declares simply: "That's our problem."

The low expenditure is viewed as a reflection of a low per capita income in North Carolina. The State ranks 46th in individual incomes.

When Governor Hodges recently suggested greater efforts toward local participation in the support of the schools and a strict minimum support from the State level, there was subdued reaction among school officials. They are not disposed to criticize their chief.

In an attempt to clarify his position, the Governor then emphasized that he does not favor less State participation and that the minimum participation on the State level might actually be increased to meet needs.

One school official speculated

need for an improved and expanded school system.

So it is within this pattern of unrest that the State administers and plans for education, and school children go through the processes of gaining what benefits that are offered.

May Be Questioned.

The quality of North Carolina education today may be questioned on certain grounds. During the current school year it is estimated that the State's average expenditure per pupil is $175. The national average is estimated at $320 per pupil. The per pupil expenditures among the states range from $158 to $482. North Carolina stands just 17 cents above the bottom.

The $175 per pupil is expended largely on teacher pay. Nothing from it goes to capital outlay or debt service. Recently a school superintendent shrugged and laconically stated: "You get what you pay for."

TWO ADMITTED AT CHARLOTTE

News & Observer

Board Turns Down Appeals of 14 Other Negro Pupils Seeking Transfer

p.1

Raleigh N.C.

CHARLOTTE (UPI) — The Charlotte School Board Thursday asigned two more Negro pupils to white and predominantly white schools.

One Negro boy was assigned to an all-white elementary school across the street from the swank Charlotte Country Club.

The Board turned down the appeals of 14 Negro pupils for transfer to white or mostly white schools and refused the original application of one other Negro, who still may appeal.

Total To Four.

The new asignments bring to four the Negroes attending three previously white schools in Charlotte.

News & Observer

Nathaniel Abraham, 11, was assigned to the sixth grade at Shamrock Gardens Elementary School an all-white school is one of Charlote's best suburban neighborhoods. The boy will be attending school in sight of the Charlotte Country Club, the town's most exclusive club for socially prominent whites.

Raleigh N.C.

Fannie Waterman 15 was assigned to the 10th grade at Central High school where Negro Gus Roberts, 16, is attending for his second year as the only Negro. Gus' sister, Girvaud, attends classes with white pupils at Piedmont Elementary.

The children are scheduled to attend their new schools Monday. Friday is a holiday in the white schools here because of a teachers' meeting.

The Abraham child will be a school-mate of the son of one of the board members who took the action Thursday, Richard Brown president of a bottling company.

Fri 10-3-58

The Board's action came in the form of approval of an administrative recommendation. The meeting was quiet and there was no discussion of the matter.

Nathaniel Abraham's sister, Claudette, was turned down Thursday in her original request to attend Central High School. She may still appeal the ruling

Other previously white schools are integrated on a limited basis in Greensboro and Winston Salem.

Desegregation Is Spotty As Legal Moves Are Tried

By Associated Press

Racial integration went ahead quietly in several Southern schools Wednesday while legal maneuvers aimed at blocking this social change continued in segregationist strongholds. The Norfolk (Va.) School Board's plea for a delay in school desegregation until next year was turned down Wednesday by a U. S. district judge.

Philadelphia Inquirer

JUDGE MAY RECONSIDER

But Judge Walter E. Hoffman said he may reconsider if the U. S. Supreme Court grants Little Rock, Ark., a 2½-year delay in school mixing or grants a review of that case. In that event, he said, he would entertain a motion to retransfer 17 Negro children the Norfolk School Board planned to assign to white schools.

Philadelphia Pa.

Thurs 9-4-58

The Supreme Court will hear arguments on the Little Rock case Sept. 11.

In another Virginia case, a Federal judge was told the applications of six Negroes to attend a white school in Arlington county was turned down because of low achievement.

P. 1

REASON IS CITED

Dr. Barnard Joy, school board member, told U. S. District Judge Albert V. Bryan that was the reason for rejectinng the six. He testified Wednesday at a hearing in Alexandria to determine whether 30 Negroes must be admitted to various white schools in the country, across the river from Washington, D. C.

However, Thomas H. Henderson, dean of the college of Virginia Union University at Richmond, called as a witness by the National Association for the Advancement of Colored People, told the court that an examination of school personnel files showed that Negro children could and should be assigned to white schools they sought to enter

The Arlington county board advised teachers that school openings, already postponed from tomorrow to Monday, may be further delayed.

Limiting mixing of the races proceeded in a number of other Southern States. The only demonstration came at Greensboro, N. C., where a small group displaying a Ku Klux banner and a Confederate flag, gathered in front of the Gillespie Park School.

When five Negro children arrived a white man carrying a KKK banner followed them a few steps and a bystander heckled them. But the five attended the brief opening session without trouble. There of the five attended the school last year.

Inquirer

The Federal Government was reported recruiting deputy U. S. marshals in Arkansas for possible use at Central High School if it is reopened on an integrated basis.

Thurs 9-4-58

At Van Buren, Ark., on the Arkansas River near the Oklahoma border, six of the 13 Negro students at Van Buren High School announced plans to transfer to all-Negro schools after a second day of harassment. They were greeted on the first day of classes by signs which read "Go home, Nigger" and today they reported threats, shoving and rock-throwing.

In Charlotte, N. C., two of four Negroes who attended white classes last year entered Wednesday without last year's minor demonstrations.

It was just another school day in Kentucky on the second day of classes with four high schools desegregating for the first time.

JEERING ALABAMANS

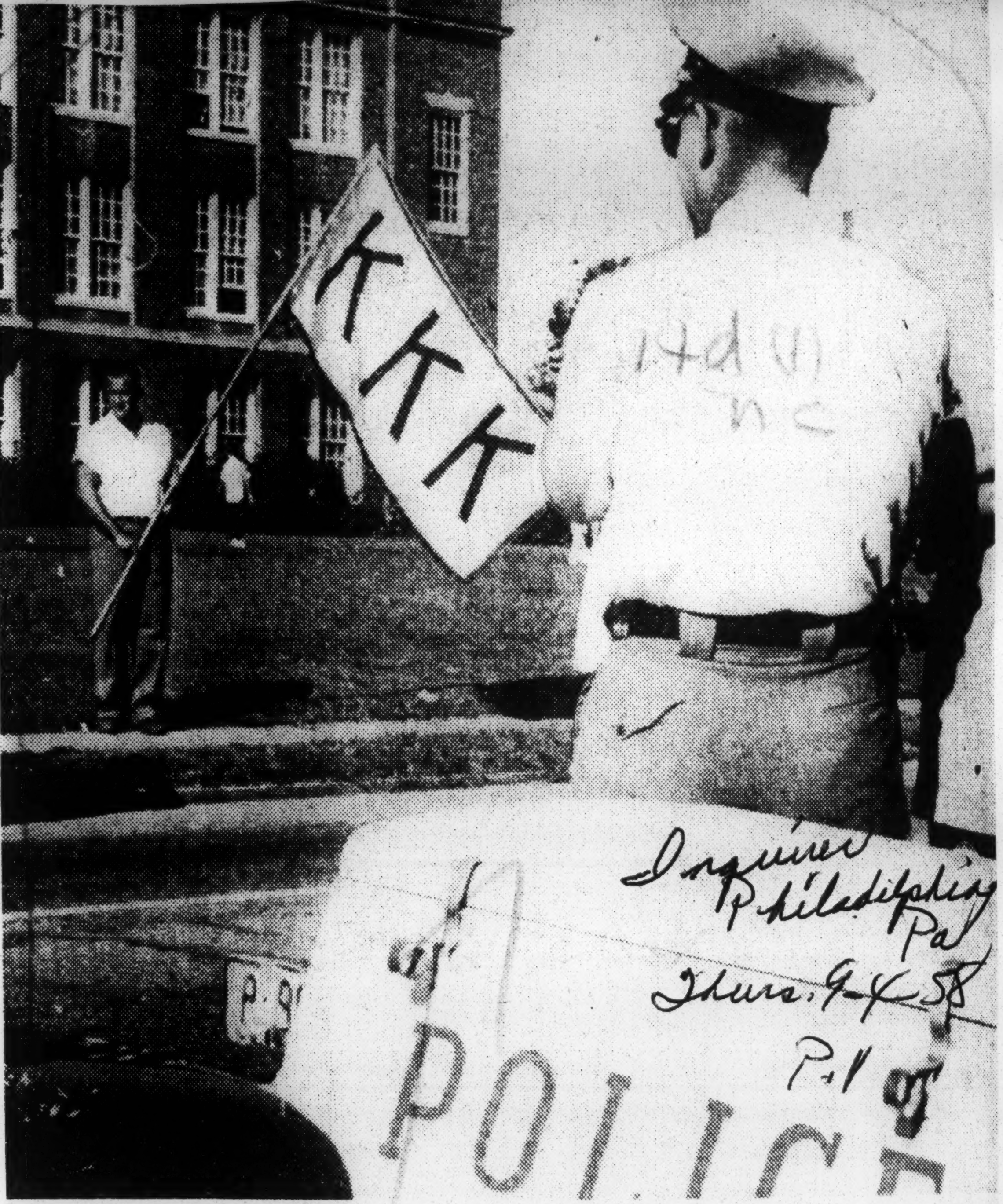
At Birmingham, Ala., a milling crowd of jeering white men and teen-agers chased Negroes away from the vicinity of Phillips High School today, standing guard against any Negro attempts to enroll.

Negroes attempted to enroll at the white downtown high school last September, but no attempt was made by members of their race to enroll at a white school as registration began today.

Negroes Enrolled In No. Carolina

WINSTON-SALEM, N. C. Sept. 4, (AP).—Three Negro youngsters enrolled in previously all-white Easton Elementary School here today without incident. Only a handful of onlookers were present as the second year of integration in public schools here began without excitement. Integrated schools in Charlotte and Greensboro opened yesterday without difficulty.

Herald Tribune
New York
Fri 9-5-58
p. 6



Inquirer
Philadelphia
Pa
Thurs. 9-4-58
P. 1

UPI Telephoto

A Greensboro, N. C., patrolman watches a banner-waving Klansman, one of several who paraded outside the city's Gillespie Park Elementary School as it began its second year with integrated classes. Another picture on Page 3.

14d(1) 1958

NORTH CAROLINA

NEGRO STUDENTS
ADMITTED

3 In Carolina Will Attend White School

WINSTON SALEM, N. C. (AP)—The Winston-Salem school board, with one dissenting vote—and it from the board's only Negro member—assigned three Negro children to white schools Monday and rejected applications from five others.

Advertiser

The applications from the eight Negroes were among 23 reassignment requests approved and 28 turned down by the board in one motion. The negative vote apparently was in protest of the Negro transfers which were denied.

Tues. 8-19-58

The three Negro pupils were assigned to the new Easton Elementary School, previously all white, a few blocks from their homes. They previously attended Diggs Elementary School for Negroes miles from their home.

The five rejected Negro reassignment requests were for transfer to Reynolds High School, which admitted one Negro to its student body last year and will be attended by the same student again this fall.

The board's action, the first public school integration here on the elementary level, came without discussion.

The Rev. W. R. Cranford cast the only "no" vote.

The school board gave the same reasons for both granting some reassignment requests and denying others. It said it did so in order "to provide for the orderly and efficient administration of the public schools of Winston-Salem, the effective instruction of the pupils therein enrolled, and the health, safety and general welfare of such puplis."

The board would make no comment to elaborate on this.

Grade School Integrated in Winston-Salem

Atlanta Constitution

Atlanta Jour.

WINSTON-SALEM, N.C. (AP)—The Winston-Salem school board assigned three Negro children to the all-white Easton Elementary School Monday but turned down requests from five Negro students for assignment to Reynold High School.

Tues. 8-19-58

Reynolds has one Negro student who attended the school last year and who has been assigned there again for the coming season.

The board's action was the first time racial integration has been ordered here below the high school level.

P. 3 D

Negro Objects To Mixing In N. C. School

P. 8 B

WINSTON-SALEM (AP) — The Winston-Salem School Board with one dissenting vote—and it from the board's only Negro member—assigned three Negro children to white schools Monday and rejected applications from five others.

News & Courier

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NEAR HOMES

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Tues. 8-19-58

FIRST SUCH ACTION

The board's action, the first public school integration move here on the elementary level, came without discussion.

Charleston.

The Rev. W. R. Crawford, who cast the only no vote, told spectators after the board meeting, "I still think those students (denied assignment to Reynolds) are nearer to Reynolds than they are to Atkins (the Negro high school), particularly two of them."

S 2

Kenneth Richard Cooper, Roslyn Dianne Cooper and Norma Earnestine Corley were the Negro children admitted to the white elementary school.

Mixed Reaction Greeted Negroes In First Year of Integration

News and Observer, Jun. 6-1-58

Raleigh

N.C.

By THE ASSOCIATED PRESS.

The words probably did hurt a little, but there were no sticks and stones for the handful of Negro children who broke the public school color line for the first time in North Carolina history last fall.

Mostly disregarded, occasionally welcomed, insulted by a few—they finished in a calm that contrasted sharply with the storm aroused by their entry last year.

One girl, 15-year-old Dorothy Counts of Charlotte, withdrew after a week of spitting and heckling from her white classmates at Harding High School.

But the other youngsters in Charlotte, Greensboro and Winston-Salem, stuck to their lonely paths. Several did very well. Most were described as average students by their school principals.

"It was fairly easy for me to go to school," said Gustavus Allen Roberts, the only Negro student among 1,600 white pupils at Charlotte's Central High School.

"I didn't have much trouble. I would rather go there. I learn more than I would the regular way. I'll be better prepared for college. I want to be an electrical engineer."

In the "regular way," Gus would have attended Second Ward Negro High School where he was a B student his sophomore year. He did not make a C average his first semester at Central, although he pulled his grades up to C in the second half.

"Central was harder," he said. Gus, who cannot remember how many times he has been called "black boy" at Central, is going back next fall for his senior year.

"He was a student at Central High School just like any other student," said Principal Edward Sanders. "I never did see him engaged in any social activities. He always seemed to be alone. But then, I saw him in the halls between classes when everybody was hurrying."

Sanders said he had not heard anyone say anything "out of the way" to Gus since the first days last fall.

Asked if he had made any close friends at Central, Gus replied:

"I wouldn't say that. I spent most of my time studying. I was working too hard for school activities and I couldn't have done them anyway. I didn't have a C average.

"No, it wasn't lonesome. I wasn't nervous. There was nothing to be nervous about."

Gus' younger sister, Givaud, was not home to comment. She has been reassigned to Piedmont Junior High where she was in the eighth grade this past year, the only Negro among 600 students.

"She's doing okay. I imagine her grades fell between B and C plus — an average student. We didn't have a bit of trouble," said Principal Donald Newman.

At Alexander Graham Junior High, Delores Huntley attended the seventh grade as the only Negro among 400 students. The last week, she walked past an eighth grade boy in the hall.

"Hi, Nigger," he said.

The day before, it was an eighth grade girl who greeted her:

"Hi, Buckwheat."

She heard such greetings almost daily for a year, but was offered no physical abuse. Some classmates were kind.

"She was about average," said Principal Frank Motley. "We had no incidents at all. She played on the girls softball, volley ball and basketball teams.

"She ate in the school cafeteria with her own homeroom group and seemed to get along well with the others.

"When I told her she had been reassigned to Second Ward (a Negro high school) next fall, she seemed happy."

Alexander Graham is being abandoned and the school will be farther from Delores' home than the Negro high school.

Charlotte School Supt. Dr. E. M. Garinger said the Charlotte school year was peaceful.

"I have nothing to tell you. We treated them as we would any other children. We've had nothing unusual since that one case last fall (the heckling of Dorothy Counts at Harding High School.)"

At Winston-Salem, Gwendolyn Yvonne Bailey completes her junior year Tuesday at Reynolds High School as the only Negro.

"She is getting along well. Her grades are very good," said Principal C. R. Joyner.

At Greensboro, where the largest number of Negroes were integrated, oJsephine Boyd graduates Tuesday from Greensboro Senior High School. She is the only Negro among 1,900 students.

Josephine has been on the school honor rolls for several months. Neither she nor her principal could be reached for comment.

Greensboro's Gillespie Park School has had five Negroes atending classes among its 800 students. Its principal refused to comment on their standings.

The five are Brenda Florence, fifth grade; $mmy Florence, sixth grade; Russell Herring, seventh grade; Elijah Herring Jr., ninth grade; and Harold Davis, eighth grade.

Suit Asks End Of NC Segregation

Journal & Guide

P. 20

Sat. 5-31-58

Norfolk, Va

GREENSBORO, N. C. — Parents of two children have filed suit in federal court here asking the end of segregation in all the public schools of North Carolina. It is regarded as a "master suit" challenging the state's public school laws including the Pearsall Plan designed to maintain segregation despite the Supreme Court's desegregation decision.

The suit was filed in Middle District Court by Mrs. Evelyn McKissick, mother of Jocelyn McKissick, and Mrs. Rachel Richardson, mother of Elaine Richardson. The plaintiffs are residents of Durham.

The suit was filed on behalf of the mothers, their children and "others similarly situated, and is directed against the Durham City Board of Education and the North Carolina Board of Education.

Parents to test N.C. anti-school mix laws

Afro-American

P. 19

GREENSBORO, N.C. (ANP) —A "master suit" aimed at wiping out racial segregation in North Carolina was filed last week in Federal court by parents of two Durham children.

Purpose of the suit is to test the constitutionality of the state's public school laws designed to maintain segregation. These laws have already been ruled unconstitutional "on their face" by the U.S. 4th Circuit Court of Appeals.

The suit was filed by Mrs. Evelyn McKissick and Mrs. Rachel Richardson on behalf of their children, Jocelyn McKissick and Elaine Richardson, and "others similarly situated." Targets are the Durham Board of Education and the North Carolina State Board of Education.

Sat. 6-7-58

Baltimore, Md

THE MOTHERS ask that a three - judge federal court be convened to hear their request for a temporary injunction to restrain operation of the schools on a segregated basis.

The suit also asks a permanent injunction to prevent operation of the schools under any state laws, constitutional provisions, orders and policies "which either require, or permit, or result in segregation of the races in public schools."

Suits Are Filed To Test North Carolina School Law

by Victor Calverton

Defender

June 58

6-7

Louisville Ky

Greensboro, N. C. (ANP) — A "master suit" aimed at wiping out racial segregation in all the public schools of North Carolina was filed last week in federal court by parents of two Durham children.

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Suit Filed

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There was some speculation that the phrase "and others similarly situated" in the suit might cause it be be labelled as "class action". In an earlier test of North Carolina school laws, the late Judge John J. Parker said:

"There is no question as to the right of these (Negro) school children to be admitted to the schools of North Carolina without discrimination on the ground of race. They are admitted, however, as individuals, not as a class or group."

Intervention

The mothers ask that a 3-judge federal court be convened to hear their request for a temporary injunction to restrain operation of the schools on a segregated basis.

Negroes at Charlotte Open Integration Drive

Raleigh N.C. News & Observer

Sat. 6-7-58 P. 1

CHARLOTTE (UPI) — Negroes gave the signal for this fall's integration drive in North Carolina Friday when six pupils applied for admission to white or predominently white schools for the 1958-59 term here.

Two other Negroes requested assignment to first grades along with the other six and Charlotte officials said the "implication" was a request to attend white schools.

One of the six requests came from Kelly M. Alexander, president of the National Association for the Advancement of Colored People in the State. His request included an appeal for an end to assignments on a segregated basis.

School assignments for all but the first grades were made last week. The six requests Friday came in the form of applications for change of assignments. If the requests are denied, the parents may appeal.

It was on such appeals of 24 Negroes that four were first admitted to white schools here last fall. One dropped out but three finished out the year. Two have been reassigned to the same white schools but the school to which the third attended was abolished and she was reassigned to a Negro school.

The requests today were as follows:

Reginald A. Hawkins Jr., from Biddleville to fifth grade at Seversville; Paulette C. Hawkins from Northwest to Seversville; Patricia Dixon, from Alexander Street to fifth grade at Piedmont; Dorothy Dixon, from Alexander to third grade at Piedmont: Kelly M. Alexander Jr., from Myers Street to fifth grade at Dilworth, and Lavalle Roberts, to first grade at Piedmont.

The other two applications for original admission to the first grade were from Wayne Hawkins and William Dixon. No school was designated in either request.

But the Hawkins child is brother of the other Hawkins children involved and his application was included in the same envelope. The same was the case with the Dixon child.

Kelly M. Alexander Jr. is the son of the NAACP president. His appeal was one of those denied last year.

The Dixons are all children of William Dixon, a foundry worker.

The Hawkins children are children of Dr. Reginald A. Hawkins, a Charlotte dentist and minister active in integration efforts.

Lavalle Roberts is the brother of Gus and Girvaud Roberts, the two Negroes already assigned to white schools.

In answering questions on the reassignment request form, Alexander called for an end to segregated assignments. He said, "the policy of the School Board to assign Negro children to Negro schools and white children to white schools is in our opinion unconstitutional . . . We feel that geographical districting is not a valid reason for denial of our request."

Color Line Held By School Board In Mecklenburg

News Courier Charleston S.C.

Thurs. 6-26-58 P. 17A

CHARLOTTE (AP)—The Mecklenburg County School Board, reluctant to follow the path of token integration blazed by Charlotte last year, Wednesday denied the request of 10 Negro children to attend white schools.

The board thus repeated its action last year in holding the color line in schools. The parents were the same who applied last year for reassignment for their children.

From the receipt of official notification of the board's action, the parents will have 10 days in which to appeal the decision.

Board attorney Paul Ervin explained:

"The board took into consideration the crowded conditions in the schools and gave careful consideration to the welfare and best interest of each child involved and based its decision on these points."

In addition, a board spokesman said two of the Negro children had been mistakenly attending a county school while living within a city school district.

Carolina School Board Rejects Integration Bids

P. 6B

Advertiser Montgomery Ala.

Thurs. 6-26-58

CHARLOTTE, N.C. (AP) — The Mecklenburg County School Board Wednesday denied applications from 10 Negro children for assignment to white schools.

A board spokesman said that the "welfare and best interest" of eight of the pupils was the reason for their denial and two were mistakenly enrolled in a county school while living within a Charlotte city school district.

Parents of the children have 10 days, from official notification of the action, in which to appeal. The families are the same ones who applied for, and were denied, admission to white schools in the county last year.

County school board attorney Paul Ervin said, "The board took into consideration to the welfare and best interest of each child involved and based its decision on these points."

The county last year denied applications to break the school color line, explaining that during the year it would study the situation in Charlotte, Winston-Salem and Greensboro where a handful of Negro pupils entered previously all-white schools.

School Board Member Lacy Ranson said Wednesday that the board was "still studying."

Independent

"PITCHER" OF INTEGRATION — Ben L. Smith, right, retiring superintendent of Greensboro public schools, receives from A. H. Peeler, principal of the J. C. Price School, a silver pitcher given to him by the North Carolina Conference for his leadership and integrity in seeing to it that school integration was begun in Greensbore last fall.

Independent

P. 21

Sat. 6-28-58

Race Motives Suspected In School Fires

News-Courier Charleston, S.C.

Wed. 8-27-58

WADESBORO, N.C. (AP)—Did racial unrest spark the burning of two rural Anson County schools scheduled to be occupied by Negroes this fall? P. 22

A team of arson experts was on the job Tuesday, probing the ashes of the two destroyed schools on the theory of police and school officials that both fires were set by racial extremists.

A $150,000 eight-classroom building was destroyed by fire Monday night, on the heels of Sunday night's fire that destroyed a four-classroom school and auditorium valued at $90,00.

Anson County Supt. of Schools J. O. Bowman said, "Racial reasons appear to be the most likely cause of arson."

Bowman said the schools, previously for whites, recently were redesignated for Negroes. Fewer white students and a county-wide consolidation of schools was behind the redesignation. There is no integration in the county and none planned.

ARE 'RECONCILED'

White people objected to losing their community schools and Negroes feared that there might be white resentment if the Negroes used the buildings, Bowman said.

"Both whites and Negroes appeared to have been reconciled to the situation," he said.

The schools are at Deep Creek, about 10 miles south of here. Insurance on both schools totaled about $90,000.

The smaller one burned Sunday night, the same night Anson County Sheriff H. E. Rayfield said an attempt was made to ignite the larger school.

Rayfield said kerosene was poured in a hallway and a fire started, a fire which apparently went out because of lack of oxygen.

FIRES PROBED

James H. Nancy, an insurance department investigator, and Roland Smith of Charlotte, a representative of the National Board of Fire Underwriters, were sent to the scene to determine the origin of the fires.

14d(1) 1958 OKLAHOMA

INTEGRATION IS HARD ON NEGRO TEACHERS

14d(1)

300 Have Lost Their Jobs In Oklahoma

DALLAS, April 4. — (AP) — Integration of Oklahoma schools has cost 300 Negro teachers their jobs, a social scientist said Friday.

"The integration of Negro students has not posed a difficult problem but the integration of Negro teachers is proving more difficult," Dr. Virgil F. Dougherty of Oklahoma City University told the Southwestern Social Science Association annual convention.

Before integration there were 1,537 Negro teachers in Oklahoma, whereas there are approximately 1,200 left, Dr Dougherty, who carried out research on integration, said.

Commercial Appeal
p. 1
Sat 4-5-58
Memphis Tenn.

Governor says integration saved Oklahoma money

OKLAHOMA CITY, Oct. 2—(AP)—Raymond Gary estimates that integration in Oklahoma's school system saved about $1 million last year.

R. H. Emans, school finance director, said that savings, plus [illegible] and redistricting, saved the schools about $2½ million more than was anticipated.

Emans said it was difficult to estimate the actual amount saved through integration but that it was appreciable. The governor said, "I would say integration has saved us between $750,000 and $1 million a year."

Birmingham News
Birmingham Ala.
Thur. 10-2-58
p. 63

No Substitute for Integrity

(Reprinted from The Tulsa Tribune) April 14, 1958

(EDITOR'S NOTE: The following editorial, reprinted from Tuesday's Tulsa Tribune, illustrates a point not too readily accepted by many Negroes with regard to our plight in the area of education. While it is agreed that there have always been capable Negro teachers and a few modern structures for Negroes in some cities, certain standards have not been maintained down the line. The objectives of school segregation were not focused upon EQUAL education of the Negro. Instead, more emphasis was placed upon the SEPARATE end of the concept. But today, placing the blame on no one in particular, the Negro must take heed and tow the line in order to meet the challenge.)

14d(1) Okla.

Four years ago when segregation was eliminated in the public schools of Washington, D. C., the Theodore Roosevelt High School, which had been all-white and had the highest achievement record in the school system, underwent a revolutionary change. Within a short time 78 percent of Roosevelt's student body was colored.

Mrs. Elva C. Wells, Roosevelt's principal, was neither daunted nor deluded. In testimony before a Congressional committee she revealed that because of too-easy standards in the old all-Negro schools and poor motivation and home background many of the colored children were way behind. A lot of them who had been getting A's and B's in their old schools were angered to find their Roosevelt report cards sprinkled with C's and D's.

Many colored parents turned furiously on Mrs. Wells. She was accused of being illiberal and bigoted. For a time there was, to quote her, an attitude of "billigerence, sullenness, impertinence and aggression."

But Principal Wells held the line on standards. She flatly outlawed ducktail haircuts, T-shirts, jeans and even rolled-up sleeves. Many extracurricular activities were knocked off. In assembly she told her students, "This is not the only place you can get an education, but it is the only place you are going to get this particular kind of education, so you had better work at it."

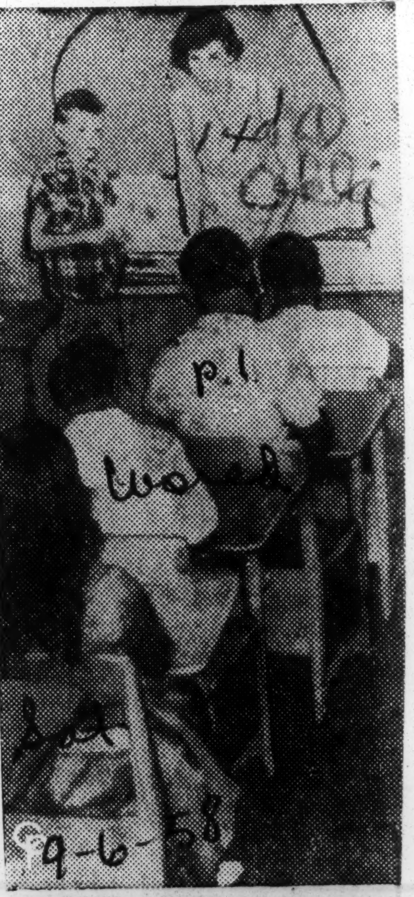
She bombarded the parents with letters stressing regular attendance and the need for homework. She slapped the slow pupils into remedial and catch-up courses, regardless of whether or not it injured their pride.

Gradually a change came over Theodore Roosevelt High School. Disciplinary problems decreased. School spirit and morale improved. Average daily attendance is now up to 95 per cent. "Frill" courses, like driver education, no longer carry credits toward graduation. Rigid semester exams, once soft-peddalled by theorists who argued that no child should flunk, are now re-established.

Last semester practically all the 150 students in the remedial classes made better than a semester's progress and some advanced as much as two years in English and mathematics. And after the first sharp drop in achievement Theodore Roosevelt High has now come back so far that it ranks equal with the predominantly white schools in Washington.

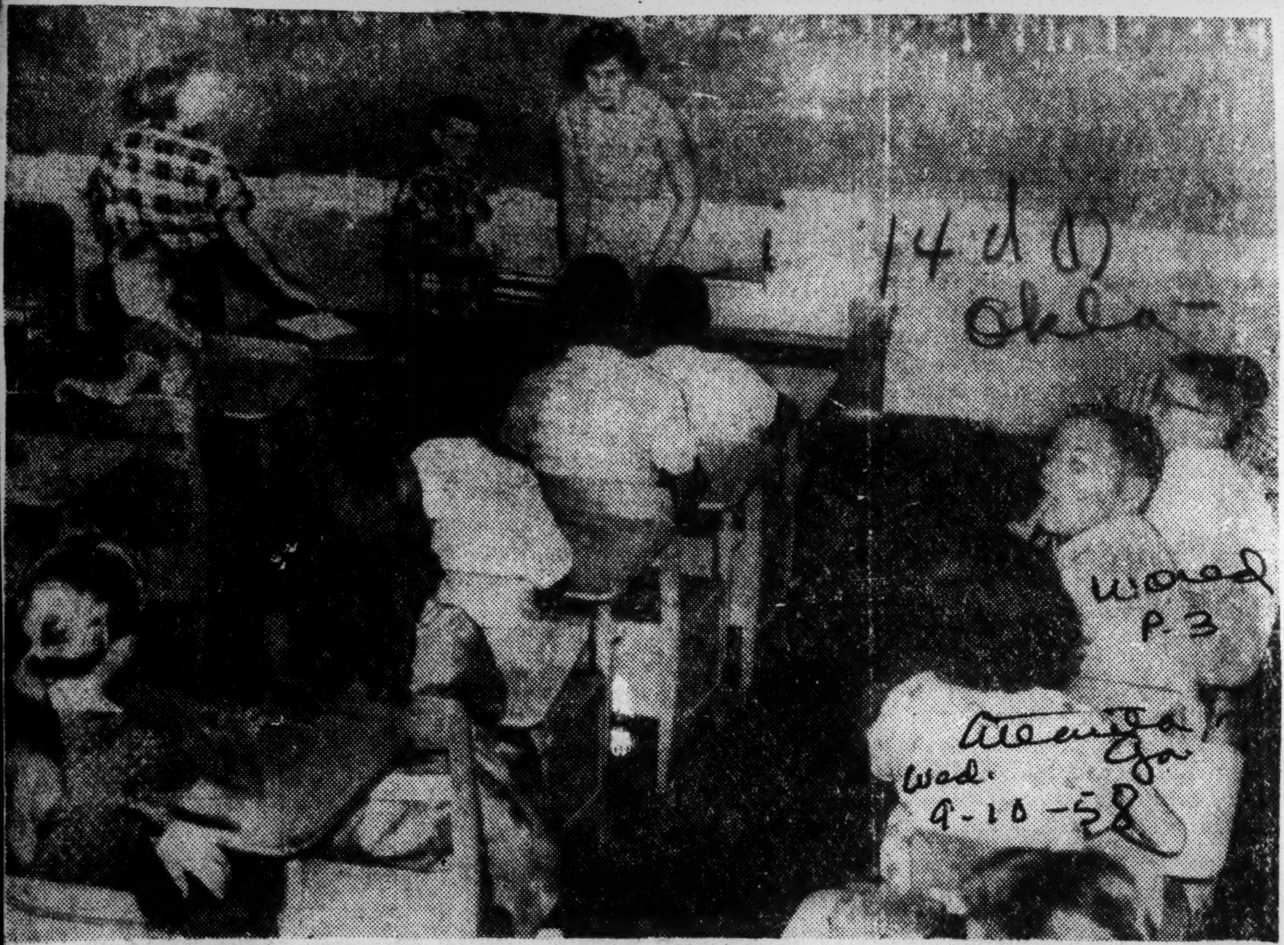
Mrs. Wells has merely demonstrated a truism that the "progressive" educators had forgotten. There is no substitute for integrity. Most children seek not "adjustment" but something to be proud of. To the normal child that which is reasonably difficult is most appreciated and honors won with effort are most prized.

Oklahoma Eagle p. 1
Thurs. 4-17-58
Tulsa, Oklahoma


14d(1) Okla.
p. 1
World
Sat
9-6-58

INTEGRATION IN OKLAHOMA—Integration began in Springer, Okla., without incident. Nineteen Negro students were enrolled in the former all-white district school of Carter County. Three of whom are shown in a fourth- fifth grade class being taught by Mrs. C. Norton.

Birmingham Ala.



14 d (I)
Okla

Word
P-3

Atlanta, Ga.
Wed.
9-10-58

INTEGRATION WITHOUT PAIN—Without incident, integration began in Springer, Okla. schools for the first time last week. Here, three of the 19 Negroes enrolled in white schools, are shown being taught fourth and fifth grade subjects by Mrs. Chiquia Morton. (Newspress Photo).

Oklahoma governor says integration can't be stopped

BY DAYTON BLAIR

OKLAHOMA CITY, Dec. 11 (AP)— **Heaven doesn't have any special outside rooms, the governor at this once-segregated state is telling the South.**

A product of Southern social standards himself, Gov. Raymond Gary has quietly preached his personal belief that integration is here to say.

Birmingham

He says he has made friends wherever he has spoken.

He has made recent speeches on the subject in Macon, Ga., Tucson, Ariz., and Dallas. In each place he has said this nation must accept Christian principles. Although he doesn't mention integration directly, his implication is unmistakable. He has confirmed his meaning later.

Birmingham

EXCERPTS FROM the speeches:

"We are all God's children because God made us all in his image. I'm sure there is no special outside rooms in Heaven."

Ala

"You see a nation (the United States) whose convictions have not been strong enough in the past, and are apparently not strong enough today, to carry out this program of equal opportunities for all people without strife and bickering."

Thurs. 12-11-58

"God is no respector of persons. Prejudices, and we all have them, are contrary to the will of God. No nation can continue to be strong and to prosper in the sight of God whose people permit a wide gulf between the different religions and beliefs of a people."

P 45

"In order for a nation to survive materially, its people must be united together for a common cause. That cause should include respect for others, regardless of their religious beliefs, their habits or their backgrounds."

IT WAS BY his own insistence that Oklahoma quietly removed its historic prohibitions against integration in a 1955 statewide election. Since then 459 schools—not counting colleges—have opened their doors to Negroes. College barriers had been dropped previously.

Oklahoma's integration has been accomplished with virtually no opposition. The mixing is as general in southern counties, popularly termed "Little Dixie," as in northern areas bordering Kansas, Missouri and Colorado.

By Gary's estimate, the state is saving a million dollars a year through integration. In addition, better facilities are available where the cost of one set of schools have been eliminated.

Gary has lived all his life in traditionally-segregated southern Oklahoma. He taught school there and was a county superintendent of schools.

WHEN HE BECAME governor, one of his first acts was to submit a constitutional amendment including a measure to abolish required separate schools. It carried by a heavy margin.

Gary, a 50-year-old wholesale oil company owner, is an active laymen in the Southern Baptist Church. He was Sunday School Superintendent in his own church at Madill for many years before he became governor and moved to Oklahoma City.

The governor is reluctant about voicing his opinions on integration policy. He doesn't want to stir opposition that might result from misinterpretation.

But he believes, and is saying more frequently, that integration is here to stay and it is only a matter of time until it is accepted throughout the nation. Oklahoma is an example, Gary says, of what can be done when persons in high places begin working toward the change rather than attempting to prevent any change.

14 d (I)
Okla

GOV. RAYMOND GARY
. . . Backs integration

Okla

14d(1) 1958

OKLAHOMA

~~OKMULGEE,~~ OKLAHOMA NOVEMBER

ORDERED TO INTEGRATE
BY -U.S. DISTRICT JUDGE
EUGENE RICE

Orders Integration

(Special To The AFRO)

MUSKOGEE, Okla. — Bluntly overruling the plea of the Liberty District School Board for further delays, U.S. District Judge Eugene Rice Saturday ordered the all-white schools of Okmulgee desegregated at once.

The ruling was one of the few issued in Oklahoma, which has been integrating its school with "all deliberate speed" since the Supreme Court handed [illegible] its [illegible] decision.

Saturday's decision opened classes to the four children of Mr. and Mrs. Fee Jefferson, but permitted the school board to postpone the admission of other children to all-white schools until the beginning of next semester.

Afro-American p. 1
Baltimore, Md.
Dat 10-25-58

* * *

THE SCHOOL BOARD had admitted it had no plans for integration and were not interested in any until specifically ordered to do so by the court. But the board asked the court to delay the move.

Board told no delays are possible

Judge Rice said in his ruling:

"The request for delay is not justified in view of the fact that the officials stated they would integrate when the court ordered them to do so.

"There was an inference that without an order of the court they would not voluntarily begin integration."

* * *

MEANWHILE, Gov. Faubus suffered another court setback in his running battle with the United States Government.

A three-judge 8th U.S. Court of Appeals Wednesday extended indefinitely its ban against turning Little Rock's high schools into private, segregated institutions.

The action was taken, the court said, "to prevent irreparable injury to the educational integration rights" of colored children in Little Rock.

Specifically, the court directed Dr. William G. Cooper Jr., vice president of the Little Rock School Board, and School Superintendent Virgil Blossom "not to participate in any action to transfer possession, control of operation, directly or indirectly, of the senior high schools of Little Rock district or in any way alter the status quo of the high schools as far as their integrated status is concerned."

THE SWEEPING order was asked by Chief NAACP Counsel Thurgood Marshall until the court could hand down its final written opinion in the case.

The order, in addition to barring Faubus from converting public schools into private use, forbids his use of public school teachers in his private school scheme.

Faubus appeared to be running head-on into another legal tangle with the announcement of plans to open a private, segregated school for white senior high school pupils in a building formerly owned by the University of Arkansas.

WILEY BRANTON, NAACP attorney in Arkansas, announced that a legal test will be made of the segregated school. To be determined is the method in which state-owned property was converted to private school use.

"We will deal with it in due time in the proper manner," Branton told newsmen.

Afro-American
Dat 10-25-58
Baltimore

Faubus revealed that his nationwide appeal for funds to operate the segregated school had resulted in collections totalling above $60,000 or approximately enough to operate the school for four weeks.

* * *

THE DEFENSE Department Thursday began putting pressure on the Pulaski County School Baord to reverse its segregated policy at the new 24-room elementary school near the Little Rock Air Force Base.

The school, built entirely with Federal funds, is being operated by the county board on a segregated basis, under an agreement with the U.S. Air Force.

Stephen S. Jackson, deputy assistant secretary of Defense for Manpower, Washington, appeared in Little Rock Wednesday in an effort to persuade the school board to integrate the air force school.

Jackson was quoted as promising that if the school were integrated, colored junior and senior high school students would withhold any effort to enroll at Jacksonville junior and senior high schools, built partially with Federal money.

* * *

COLORED PARENTS, however, promptly announced that they were not a party to any such deal and could make no promises that they would not seek to integrate the schools in the future.

Several colored students have already made application at the all-white schools, but were rejected. Presumably suits will be filed to compel compliance with the Supreme Court's desegregation decision.

The Pulaski board has not made a decision on the Pentagon's request. The government, it was understood, was embarrassed by the present arrangement, since it appeared as if the Air Force was operating a segregated school in defiance of Federal courts.

Gov. Faubus, whose official actions encouraged mob violence last fall, appealed Thursday night for Arkansans to "avoid violence in their fight to preserve our rights as a sovereign state."

* * *

IN VIRGINIA, some 13,000 children were still out of school the result of Gov. Almond's orders closing all public schools under court orders to integrate.

Unless Norfolk's six public schools are opened soon, School Superintendent J. J. Brewbaker asserted Thursday it will be "a calamity for the community."

"A great number of youngsters are being discouraged to the point where they probably will never come back to school," he said.

The schools have been closed since Sept. 27.

MAKESHIFT classes for 102 white seniors locked out of Warren County High School began Wednesday at Front Royal, Va.

The classes are being held in the Textile Union Hall. Only one of the six teachers employed by the Warren County Educational Foundation has a teaching certificate.

Oliver W. Hill, chief NAACP counsel in Virginia, told the AFRO Saturday he has not yet decided whether to name Gov. Almond as a defendant in a new Federal court suit seeking to compel the reopening of Norfolk schools.

This new approach was suggested by Federal District Judge Walter E. Hoffman last week after he heard a similar petition aimed at the Norfolk School Board.

The original petition was withdrawn after Judge Hoffman suggested that the Governor, who had assumed control of public schools under massive resistance laws of the state, be named a defendant.

THE PROPOSAL to bring Gov. Almond under Federal court restraining order came as Virginia's school crisis entered its second month.

It was on September 12 that Gov. Almond assumed control of public schools by signing the first notice, which closed Warren County High School at Front Royal, Va. This was done when Federal court orders required desegregation of the facility.

Later, similar orders shut down two schools in Charlottesville and six in Norfolk. This left a total of 13,000 children out of school.

Some 2,000 of these are being accommodated in private classes or tutoring groups, but even these makeshift arrangements are in danger of being closed now that the Federal courts have held that public school teachers may not be used, if racial segregation is maintained.

* * *

THE NAACP is not the only organization trying to have the schools reopened. District L of the Virginia Education Association, a white teachers group, urged at a recent meeting in Portsmouth that steps be taken to open Norfolk public schools immediately.

District A of the VEA, meeting in Federicksburg, voted down a resolution that would have supported Almond's massive resistance stand.

One member, John B. Durham, principal of Stafford High School, asked from the floor:

"Are we complimenting the Governor on closing the schools? I, for one, am not in favor of doing that."

* * *

MEANWHILE, A member of the Virginia General Assembly urged that the state's massive resistance laws be scrapped on the grounds that they are "unconstitutional, inadequate, and just won't work."

Delegate Robert Whitehead of Nelson, Va., was the legislator who said Gov. Almond should lead a re-appraisal of Virginia's position in the current public school crisis.

A fresh start should be made, he said, on a "conservative, objective and realistic approach" to salvage as many segregated schools as possible and to prevent enforced integration.

Whitehead didn't spell out his formula but implied that it would be along the lines of the local option plan originally recommended by the Gray Commission.

* * *

ANOTHER state legislator, of Harrisonburg said:

"The public school system is such a vital thing that it should not be allowed to die without a vote of the people."

Both statements were made to teachers at a meeting of District C of the Virginia Education Association.

Speaking of schools closed by Gov. Almond in Norfolk and Charlottesville, Del. Whitehead said:

"The white children are by law being denied public schooling, but it is being provided by law for the colored children at taxpayer expense. This is discrimination against the white people on account of race."

AS MASSIVE resistance reached the end of the line, Gov. Almond has quietly stepped into the background. A firm believer in the public's right to be informed, Gov. Almond held press conferences twice weekly during August.

But as the Federal courts cracked down on evasive tactics, the Governor has been less in evidence. He hasn't held a press conference since Sept. 30, and refused to see newsmen otherwise.

A spokesman told the AFRO Thursday that the next scheduled press conference is for Tuesday October 21 "but I don't know if it will be held or not."

Nevertheless there is considerably activity around the governor's office and he has a heavy schedule of appointments. Most of them involving the school controversy.

A WIDELY- respected lawyer and former judge, Gov. Almond has been reluctant to directly challenge the United States courts.

However, if named a defendant in the Norfolk case, he may well find himself in the position of facing Federal court contempt proceedings.

SEGREGATION ACTS PASSED IN 11 STATES

Commercial Appeal

Memphis Tenn.

Nine Of 145 Laws Since '54 Ruled Unconstitutional

Sat. 2-8-58

PLACEMENT IDEA UPHELD

P. 14

From The Commercial Appeal Nashville Bureau

NASHVILLE, Feb. 7.—Eleven Southern states have enacted 145 segregation laws since the 1954 school segregation decision of the Supreme Court, Southern School News reported Friday.

The publication by the Southern Education Reporting Service said nine of the laws have been ruled unconstitutional, among them pupil placement laws in Virginia and Louisiana.

In each of the two cases, however, the courts based their decisions on other and more stringent laws which were passed along with the pupil placement acts.

Court Upholds Act

The North Carolina pupil placement act, it was noted, has been upheld, in effect, by Federal courts, which said pupils must exhaust administrative remedies before resorting to judicial procedures.

Tennessee Solicitor Gen. Allison B. Humphreys joined attorneys for the Nashville School Board last week in contending that Tennessee's pupil placement law is similar to the North Carolina law.

The Nashville board is trying to employ the pupil placement act to carry out a desegregation order by District Judge William E. Miller. He took the proposal under advisement.

150 Actions Listed

The report by Southern School News said about 150 court actions involving school segregation and related issues have been handled in state and Federal courts since 1954 and that 29 cases in which desegregation is sought are pending on initial action or appeal.

It was reported that legislatures in five states—one of them a border state—have bills pending for so-called "Little Rock" legislation — measures designed for automatically closing schools if Federal troops are used in attempts to enforce integration.

The states are Mississippi, Georgia, South Carolina, Virginia and Delaware. Such legislation has already been enacted and is in force in Florida and Texas.

2 States Left

Recent suits in Birmingham and Atlanta leave only Mississippi and South Carolina as states with no integration or lawsuits seeking to force it.

These developments were reported on a state-by-state basis:

ALABAMA—A large field of candidates, all pledged to maintain segregation, entered the race for the Democratic nomination for governor. In answering a school entry suit, the first of its kind in Alabama, Birmingham's board of education contended that petitioners were premature in going to Federal court and should have awaited administrative action.

ARKANSAS — Little Rock's Central High School, scene of bombing threats and incidents involving students, still claimed the spotlight. Elsewhere in Arkansas seven integrated school districts reported all was quiet.

KENTUCKY — Adair County, first district to desegregate under court order, reported its schools "pretty quiet" and that after two years "people just don't talk about it any more."

MISSISSIPPI — A bill closing schools if Federal troops are used to enforce integration was pending in two legislative committees. Another bond issue to finance a second 27-million-dollar expenditure for equalization of school facilities was authorized.

TENNESSEE — Two of the state's four largest cities, Nashville and Knoxville, face showdowns during 1958 on desegregation and college admission is an issue in a third city, Memphis

14d(1) 1958

SOUTHERN SCHOOL NEWS

Survey shows—

Southern border states still balk at school integration

NASHVILLE, Tenn., June 7—Litigation reclaimed the spotlight in nine Southern and border states as the fourth scholastic year since the school segregation decisions drew to a close, Southern School News reported here today.

Federal courts handed down decisions in 11 school entry cases in Alabama, Delaware, Louisiana and Virginia, and in a related case in Texas. Way was cleared for further legal action in six cases in five other states.

Birmingham News

ACCORDING TO Southern School News no new desegregation was reported as schools closed for the 1957-58 year. However, it was learned that Negro children had been readmitted at mid-term to desegregated schools in Ozark, Ark., from which they had withdrawn last Fall.

6-13

Jun. 6, 1958

Birmingham, Ala.

This left the year-end tally of segregated and desegregated school districts as it has been for the past four months, with no new desegregation reported since November. The count now stands at:

Desegregated districts: 764 of 2889 bi-racial districts, all but 15 of them in the border states.

Segregated districts: 2125, including all school districts in Virginia, South Carolina, Georgia, Florida, Mississippi, Alabama and Louisiana.

Expanded desegregation programs for next Fall were announced by three districts in Maryland and Kentucky, while two "Little Dixie" districts in Oklahoma reported they would shouder the burden of maintaining segregated schools under the state's financial aid policy for at least another year.

DELAWARE was at the center of the legal spotlight. Sitting at Philadelphia, the U. S. Third Circuit Court ordered the state board of education to formulate a desegregation program for the entire state. This was the first such action by a court involving any of the 17 states affected by the 1954 decision in Brown vs. the Board of Education. But it was an order with which the Delaware board moved promptly to comply.

The segregation-desegregation issue moved toward a legal showdown in Virginia with the U. S. Supreme Court upholding court orders for desegregation next Fall in the schools of Charlottesville and Arlington County. Segregationists laid plans for organizing private schools for white children and for retaliatory moves to close Negro public schools (by presenting white pupils for enrollment at Negro schools, thus invoking state school-closing laws on them also). Opponents of such moves talked of court action and taxpayers' boycotts.

Further litigation in Dallas, Texas, following federal court refusal to test a state law, made unlikely there the desegregation some had anticipated.

A summary of major developments state-by-state follows:

ALABAMA

IN RULING on Alabama's first public school entry suit (at Birmingham) a three-judge federal court held that the state's pupil placement law was not unconstitutional "on its face" but allowed for the possibility that it might be found "unconstitutional in its application."

ARKANSAS

THE FIRST NEGRO student graduated from troop-guarded Little Rock Central High School at ceremonies which were conducted without major incident. Meanwhile, the school board asked for a delay until January, 1961, in the resumption of integration. Ozark was disclosed to have readmitted Negro children at mid-term.

DELAWARE

THE STATE BOARD of education proceeded with a statewide desegregation plan without waiting for a specific time order after a Circuit Court directed it to formulate such a plan. However, delays were expected.

DISTRICT OF COLUMBIA

AT A PRESS conference in Washington President Eisenhower declined to say what would be the government's role in the Virginia school controversy, but emphasized that federal court orders must be obeyed.

FLORIDA

SOUTHERN MAYORS meeting at Jacksonville set up a central police intelligence agency to combat religious and racial bombings. Gov. LeRoy Collins proposed federal-state commissions to decide the "wheres, whens and hows" of school integration in the light of local conditions.

GEORGIA

Way was cleared for trial of Georgia's first school entry suit (in Atlanta) but it was expected that the case would not be heard until next year.

KENTUCKY

TWO KENTUCKY districts announced extension of present integration programs next September and a third shifted district lines affecting the racial composition of a junior high school.

LOUISIANA

In Washington the U. S. Supreme Court held that the preliminary injunction against segregation in the New Orleans school case should not be overthrown on a technicality, and a lower federal court heard a new plea from the school board for dismissal based on the argument that the state, not the board, is the proper defendant in the case.

MARYLAND

Washington County announced a third step in its desegregation program, effective next Fall while in Baltimore a study showed 600 Negro teachers had been integrated.

MISSISSIPPI

Prof Clennon King, ousted from the faculty of Alcorn A&M (Negro) College in a controversy over anti-NAACP articles he had written, applied for admission to the all-white University of Mississippi.

While attempting to register Thursday he was told by the dean of the school the situation (his registering) was almost hopeless. He was whisked away from the institution by Mississippi Highway patrolmen.

Lodged in a jail in Jackson, he was served with a lunacy warrant and faces an examination in Whitfield Insane Asylum.

He had previously said if the school would not admit him he wanted the country to pay his fare to Africa.

A fund toward this end was started by Tupelo residents.

MISSOURI

SCHOOL ADMINISTRATORS estimated 95 per cent of the state's Negro school children are enrolled in districts which are desegregated at some level

NORTH CAROLINA

TWO NEGRO MOTHERS in Durham filed suit for entry of their children in all-white schools in another attack on the state's pupil placement law.

OKLAHOMA

TWO "LITTLE DIXIE" districts faced loss of state financing for segregated schools. One indicated it would bear the extra burden itself and the other said it could not afford to operate separate schools longer than one more year.

SOUTH CAROLINA

SEGREGATION remained an issue as political candidates campaigned for nomination (equivalent to election) in the June 10 Democratic primary. Six faculty members at two Negro colleges were dismissed or released in a controversy growing out of charges of Communist affiliations or sympathies.

TENNESSEE

A FEDERAL COURT decision was awaited in the Nashville grade-at-a-time school desegregation case after both sides in the lawsuit had filed briefs.

TEXAS

DELAY OF AT LEAST a year was expected in Dallas school desegregation when the way was opened for new litigation after a federal court refused a test of a new state law.

VIRGINIA

NEGRO CHILDREN seeking entry to all-white schools in Charlottesville and Arlington County won court victories, increasing the possibility that some schools may be closed next Fall in Virginia. Segregationists began organizing plans for private schools in several parts of the state.

WEST VIRGINIA

PUBLIC SCHOOLS ended the fourth year in a climate of desegregation without major incident and with two educators commending the results. In one county five schools were burned in acts of arson which some attributed to racial feeling.

In deep South—

Florida Court order may break segregation wall

NASHVILLE, Tenn., July 4—Southern and border state public schools ended the 1957-58 year with 770 school districts desegregated and 2129 still segregated, Southern School News said here today.

Late June reports from Oklahoma disclosed that six districts in that state had quietly desegregated during the school year for a total of 220 in Oklahoma alone.

Of the 770 districts, all but 15 are in the border states and none are in the Deep South. However, Southern School News said it appeared that the wall of "all-level" segregation in five resisting states would be broken for the first time by Florida's compliance with a court order opening graduate schools in its universities to Negro students.

The paper reported a stepping-up of court activity, with a precedent broken in the Nashville grade-a-year decision. This ruling, by U. S. district court, gives the Tennessee city 11 years to complete desegregation—a record-long time.

Southern School News said also that a study in Missouri showed teacher desegregation paralleling pupil desegregation in the larger communities, but lagging in the smaller ones.

A SUMMARY of major developments state-by-state follows:

ALABAMA—Atty. Gen. John Patterson, running on his record as an opponent of the National Assn. for the Advancement of Colored People and "Folsomism," was the second primary victor in the Democratic gubernatorial election. A Negro leader involved in the Birmingham school entry suit said he would carry an attack on the state pupil placement act to the U. S. Supreme Court.

ARKANSAS—Little Rock's school board was granted a 2½-year postponement of integration at Central High School by federal district court. Immediate appeals were taken by Negro plaintiffs to the Eighth Circuit Court and the U. S. Supreme Court. The latter by inference referred it to the lower court.

DELAWARE—Faced with a court order to draft a general desegregation plan for Delaware, the state Board of Education may go to the U. S. Supreme Court for an appeal. New Castle made arrangements to complete desegregation of its school system.

DISTRICT OF COLUMBIA—President Eisenhower received a delegation of Negro leaders who asked for Justice Department intervention in the Little Rock litigation over a delay of desegregation. The president reportedly gave no commitments on this and a proposed nine-point civil rights program.

FLORIDA—The University of Florida was ordered by federal court to open its graduate schools to Negroes—an order which, if implemented, would bring the first desegregation at any public school level in that state. Gov. LeRoy Collins did not plan an appeal.

GEORGIA—Three candidates are in the race for governor, all of them strangly advocating maintenance of segregation, and five qualified for the contest for lieutenant governor.

KENTUCKY—The state quietly completed its third year of desegregation, which now involves more than 80 per cent of Negro pupils. Two church colleges were ordered desegregated in 1959.

LOUISIANA—The legislature ordered investigation of pro-integration sentiment at nine state colleges. Six new pro-segregation measures were adopted by both houses and sent to the governor for approval.

MARYLAND—The U. S. Supreme Court let stand a seven-year desegregation program in Hartford County. Howard County announced extension of its voluntary program, raising to seven the number of counties planning additional steps in September.

MISSISSIPPI—Negro Prof. Clennon King failed in his effort to register for graduate study at the all-white University of Mississippi, was removed from the campus by police and placed in a mental hospital for observation, and was released after he was pronounced sane.

MISSOURI—Missouri's larger cities were shown to have proceeded with teacher integration on a scale paralleling pupil integration, but there was a lag in smaller localities with a loss of Negro teaching jobs.

NORT CAROLINA—Negroes sought to broaden last year's "token integration" with school entry attempts in three Piedmont cities and in one eastern county.

OKLAHOMA—Six additional school districts were disclosed as having desegregated during last school year, with more expected to report as the state completes a study of enrollment.

SOUTH CAROLINA—School segregation figured in the Democratic gubernatorial run-off primary, won by Lt. Gov. E. F. Hollings. Approval of teacher-training was restored by the state at Allen University (Negro), scene of a controversy over faculty members.

TENNESSEE—U. S. District court approved Nashville's gradual grade-a-year desegregation program under which the second grade will be opened to Negroes this year, the third grade in 1959, and so on until 1968.

VIRGINIA—Norfolk and Newport News were added to Arlington County and Charlottesville on the list of localities ordered to begin desegregation this Fall.

WEST VIRGINIA—School officials reported no effect on the state desegregation program from the Little Rock school decision.

History-making 'Brown' now Topeka schoolgirl

NASHVILLE, Tenn., July 4—Who and where is the history-making "Brown" of the Brown vs. Board of Education that brought the controversial U. S. Supreme Court decision of 1954 on school segregation?

Four years after that decision, says Southern School News, it set out to find who Brown was and what he (or she) is doing educationally.

Brown's career has been pretty prosaic. An A and B student throughout, this 15-year-old Negro will be among the record 923 sophomores entering Topeka (Kan.) High School this Fall.

SOUTHERN SCHOOL NEWS said: "Ironically, this student, in whose behalf a court action stirred something of a social and educational revolution, entered desegregated schools only in 1955 at a grade level—the seventh—long since desegregated under Topeka's permissive segregation policy."

However, in the strange way that a minor detail of a major story gets lost, it now is discovered that the Brown in question is a girl. She is the daughter of the Oliver Brown, a Methodist minister, who brought the case for which the Supreme Court decision is named, in behalf of his child, Linda Carol.

Linda says she likes school and plans to attend college, though she hasn't decided where. Probably one of her major subjects will be music.

News

7-4-58

Birmingham

14d(1) 1958 SOUTHERN SCHOOL NEWS

No new programs announced—

School integration statistics remain same, report shows

14d

News P. 13

Mon 5-5-58

Birmingham Ala.

NASHVILLE, Tenn., May 5—Southern School News reported here today that on the eve of the fourth anniversary of the U. S. Supreme Court decision against public school segregation, 764 school districts remain segregated—approximately the same figure as those of several months ago.

The publication said there had been no announcements of desegregation next Fall by additional districts, though some now desegregated planned an expansion of their programs.

IN A SPECIAL four-year survey Southern School News reported:

Desegregation had been completed in practice or in policy in all of West Virginia's districts, and about 80 per cent of Kentucky's Negro pupils were desegregated. On a bi-racial district basis, desegregation had begun or had been completed in 29 per cent of Deleware's districts, 70 per cent of Kentucky's, 91 per cent of Maryland's, 80 per cent of Oklahoma's and 17 per cent of Texas'.

Seven states—Alabmaa, Florida, Georgia, Louisiana, Mississippi, South Carolina and Virginia—had maintained segregation at all public school levels. Some state colleges were desegregated in Louisana and Virginia.

At latest count, there were 1,952,761 white students in "integrated situations" along with 377,286 Negro students. (An integrated situation" describes one in which pupils of both races are attending the same classes or are eligible to do so but for one reason or another may remain in separate schools.)

Of these totals above, all but 78,842 of the white students and 27,349 of the Negro stodents are in the border states and the District of Columbia. Thus, outside the border states, about 4 per cent of whites and 4 per cent of Negroes are in "integrated situations."

FIFTEEN of 1354 bi-racial school districts outside the border states have begun or completed the desegregation process since 1954. These districts are in Arkansas, North Carolina and Tennessee. Negroes in actual mixed classes in these districts number about 270.

Legislatures in six states have provided by law for the abolition of public schools ordered by a court to desegregate. School-closing is mandatory in two of them, South Carolina and Virginia, which would cut off state funds. Alabama, Georgia and Mississippi have permissive school-closing laws, and in North Carolina Schools may be closed on a local option basis.

In these six states are enrolled 59 per cent of the white pupils and 69 per cent of the Negro pupils in the 10-state area of the Middle and Deep South.

A summary of major developments during April state-by-state follows:

ALABAMA—A three-judge federal court heard arguments in Alabama's first public school entry suit since 1954. At issue was the constitutionality of the state's 1955 pupil placement law.

ARKANSAS—Gov. Orval Faubus lost an appeal (to the Eighth U.S. Circuit Court in St. Louis) from an injunction against his use of National Guard troops at Little Rock. He said he would carry the case to the U.S. Supreme Court. A Little Rock businessman introduced a plan to place segregation-desegregation on a voluntary basis, outside the courts. Meanwhile, a chancery judge entered the Democratic gubernatorial primary against Gov. Faubus.

DELAWARE—Segregation-desegregation overtones appeared as candidates readied for this year's elections and the drafting of party platforms.

DISTRICT OF COLUMBIA—Sweeping changes in the curriculum of Washington's schools were announced for next Fall as a part of an effort to deal with "disparities" in educational achievement disclosed by desegregation.

FLORIDA—Three legal challenges to school segregation, one at the college level and two in the public schools, moved toward decision. At Jacksonville, a Jewish community center and a Negro school were bombed and Jewish leaders received mysterious telephone calls that "all integration" would be stopped.

GEORGIA—Pre-trial legal maneuvering began in the Atlanta school entry suit, first of its kind in the state.

KENTUCKY—Citizens Council charges of "crime and official misconduct" in Louisville schools were rejected by the Jefferson County (Louisville) Grand Jury, which commended board of education policies.

LOUISIANA—New litigation began in the New Orleans desegregation suit, with the school board filing a motion to dismiss and Negro plaintiffs requesting a permanent injunction against segregation. The state PTA adopted a resolution favoring "retention of segregation in public schools."

MARYLAND—Two counties—St. Mary's and Anne Arundel—announced plans for extension of desegregation in elementary schools next Fall.

MISSISSIPPI—The legislature adjourned after passage of a number of new pro-segregation laws, some of which were vetoed by Gov. J. P. Coleman. One bill awaiting gubernatorial action gives the governor or trustees authority to close a school threatened with desegregation.

MISSOURI—Members of the newly-established Missouri Commission on Human Rights were sworn into office. They planned their first meeting for June.

NORTH CAROLINA—The state cited its avoidance of defiance of the Supreme Court decision in defending constitutionality of school laws in two school entry cases.

OKLAHOMA—One additional school district was reported leaning toward a desegregation policy while a second indicated a preference for separate high schools.

SOUTH CAROLINA—The legislature adjourned after barely touching on the school segregation-desegregation issue. One new law gives the attorney general power to investigate the records of non-profit corporations.

TENNESSEE—Nashville's year-at-a-time school desegregation plan was presented to federal court, which heard arguments pro and con on the grade-by-grade approach.

TEXAS—An "all deliberate speed" desegregation order was entered in the Dallas school case. Three hundred white Protestant ministers of Greater Dallas signed a statement calling enforced segregation "morally and spiritually wrong."

VIRGINIA—The state appealed the Arlington County desegregation order to the U. S. Supreme Court, contending a lower court discriminated against white children.

WEST VIRGINIA—The first court action since 1954 seeking to force desegregation of teachers was filed in federal court in Huntington by a Negro plaintiff.

SCHOOLS SHOWING INTEGRATION LAG

Times P. 1

Survey Finds Virtual Halt in Border States—South Clings to Resistance

New York N.Y.

Special to The New York Times.

NASHVILLE, Tenn., May 4—Desegregation of the schools has come to a virtual halt, Southern School News reported today.

Mon. 5-5-58

It said that a survey showed figures about the same as those of several months ago. The new survey marks the eve of the anniversary of the Supreme Court decision of May 17, 1954, against public school segregation.

The survey covers the South, the border states and the District of Columbia. It records 764 school districts as having been designated and 2,125 districts as still segregated.

. . . .

Only fifteen of 1,354 districts have begun or completed the desegregation process. These districts are Arkansas, North Carolina and Tennessee. Negroes in actual mixed classes in these districts number about 270.

The periodical said that there had been no announcements of new desegregations in the fall, although some desegregated districts planned expansion of their programs.

It reported the following on the four-year period:

Desegregation has been completed in practice or in policy in all of West Virginia's districts. About 80 per cent of Kentucky's Negro pupils were desegregated. On a bi-racial district basis, desegregation has begun or has been completed in 29 per cent of Delaware's districts, 70 per cent of Kentucky's, 91 per cent of Maryland's, 80 per cent of Oklahoma's and 17 per cent of those in Texas.

Seven states, Alabama, Florida, Georgia, Louisiana, Mississippi, South Carolina and Virginia, have maintained segregation at all public school levels. Some state colleges have been desegregated in Louisiana and Virginia.

There were 1,952,761 white pupils in "integrated situations" and 377,286 Negro pupils.

Eve Of High Court's Ruling Finds 764 Integrated Areas

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News Courier

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Charleston S. C.

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Mon. 5-5-58

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P. 10A.

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Deep South remains segregated—

Integration picture little changed despite outbursts

News

P. 24

Sun. 9-7-58

Birmingham Ala.

The South, eyeing the U. S. Supreme Court for the next word on integration, sent almost 13,000,000 youngsters trooping back to public schools this Fall with the desegregation picture little changed from last year.

An early September survey by Southern School News showed 792 school districts have started or completed desegregation, 12 more than last year. A 13th, Norfolk, Va., has announced plans for a start.

Nineteen districts among the 792 reported plans for extending or expanding existing desegregation programs.

THE NUMBER OF NEGRO PUPILS in "integrated situations" rose from 377,500 to about 400,000. The term "integrated situations" designates the enrollment in those school districts which have begun or completed the desegragation process, though not all those children necessarily attend mixed schools.

All but 15 of the desegregated districts are in border states. None are in the Deep South.

THE SUPREME COURT meets Sept. 11 for its secondary extraordinary session on the Little Rock school crisis.

From that session the South looks for an answer to a two-ply question: (1) What is the court's own precise definition of "deliberate speed" and (2) Will Little Rock's Central High School open on September 15 as a desegregated school or as a resegregated school?

The early September survey by Southern School News showed no report of any resegregated school.

THREE VIRGINIA CENTERS —the cities of Norfolk and Charlottesville, and Arlington County, shared attention with Little Rock as critical segregation-desegregation spots.

Norfolk, under pressure of federal court orders, announced assignment of Negro children to white schools, opening Sept. 22. On the other hand, Virginia has a state law closing any integrated schools and Gov. J. Lindsay Almond has said he would enforce it.

Charlottesville and Arlington County likewise were under desegregation orders. Because of its dilemma, Charlottesville postponed its school opening until Sept. 15.

Other developments by states:

ALABAMA—A ruling is anticipated by the Supreme Court in October on a petition to knock out the state's Pupil Placement Law.

ARKANSAS—Aside from Little Rock, Arkansas has eight other desegregated school districts in which there is no apparent change in policy.

DELAWARE—The state appealed to the U. S. Supreme Court a lower court order dealing with administrative responsibility for statewide desegregation, rather than with compliance which was not at issue.

DISTRICT OF COLUMBIA—School officials anticipated that Negro enrollment, which was 71.2 per cent last year, would increase slightly in the new term, with overall enrollment in October reaching 113,505 white and Negro pupils, an increase of 2391.

FLORIDA — Integration was accepted in principle at the graduate school level. One of two Negro applicants qualifed for admssion to the University of Florida law school.

GEORGIA — Georgians edged toward a Sept. 10 Democratic primary—equivalent to election —with candidates for governor and other state offices agruing over who was the most segregation-minded.

KENTUCKY — Some school districts prepared for slight expansion in the desegregation program already extended to about 80 per cent of the state's school-age Negroes.

LOUISIANA — A new college integration suit was filed by 11 Negroes seeking admittance to the Louisiana State University branch at New Orleans.

MARYLAND — Some additional grades or schools were integrated but the general picture remained about the same with 14 per cent of all Negro pupils in mixed classes in roughly one - fourth of all schools.

MISSISSIPPI — The gap between white and Negro school systems was reported more than half-way closed under an equalization program designed to discourage integration.

MISSOURI — Officials estimated 95 per cent of the state's Negro children live in districts where schools are integrated to some degree.

NORTH CAROLINA — Charlotte, Greensboro and Winston-Salem continue "token" integration but an effort by a Negro pupil to enter a Raleigh white school was rebuffed.

OKLAHOMA — Seven more school districts desegregated, accompanied by violence in one.

SOUTH CAROLINA — Two new integration petitions were filed in Clarendon County, from whence came one of the five cases on which the U. S. Supreme Court ruled in its historic 1954 decision.

TENNESSEE — Nashville desegregated its second primary grade carrying out a court-approved "stair-step" program; Memphis State University may postpone desegregation for another year.

TEXAS — Bloomington school district voted to desegregate making 124 integrated out of more than 700 bi-racial districts.

VIRGINIA—Charlottesville and Arlington joined Norfolk in postponing school opening in face of federal orders and state threats of closure.

WEST VIRGINIA — All bi-racial school districts had complied with court-ordered desegregation, but 18 partially integrated counties indicated little change in the picture.

14d(1) 1958 SOUTHERN SCHOOL NEWS

Southern School News' Monthly Survey Of Education Scene Issued

Courier

Thurs. 3-6-58

Charleston

S.C.

NASHVILLE, Tenn., March 5 (Special) — Action of the Little Rock, Ark., school board in requesting a postponement of the integration program it began six months ago is the first move of this kind since the U. S. Supreme Court decision of 1954 against school segregation, it was reported here today.

Surveying the educational scene in a 17-state area, Southern School News said also that the number of desegregated school districts had increased by two to 764 with disclosure of integration in two hitherto unannounced Oklahoma districts. There are 3,008 school districts in the southern and border states affected by the Supreme Court decision which have enrolled in them both white and Negro pupils.

The Little Rock appeal to federal district court, according to Southern School News, highlighted a month which saw legal and legislative action on several fronts.

As outstanding court actions, it listed rejection of a "parents' preference plan" in Nashville, an order desegregating schools of Owen County, Ky., two circuit court orders in Louisiana upholding lower court decisions for desegregation in New Orleans and invalidation of Louisiana laws which bar Negro registration at white colleges, and a circuit court ruling supporting a seven-year program of "gradual" integration, contested by the National Assn. for the Advancement of Colored People, in Harford County, Md.

Activity on the legislative front, said Southern School News, was marked in Virginia and Mississippi. Virginia's legislature adopted a measure—popularly called a "Little Rock bill"—requiring the closing of any school to which federal troops are dispatched. In Mississippi, the legislature is considering bills amending the state constitution so as to abolish the requirement for "free public schools."

A "Little Rock bill" failed of passage in Delaware, and in West Virginia, now wholly desegregated, the legislature took no action on measures affecting school segregation-desegregation.

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The publication said that in the last quarter of 1957 southerners approved $53,024,000 and rejected $12,614,000 worth of bonds, a rejection rate of 19.2 per cent. The figure for the nation as a whole was $565 million approved and $138 million disapproved for a rate of 19.7 per cent. Data were supplied by the Investment Bankers Assn. of America, Washington, D. C.

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MISSISSIPPI — Constitutional amendments removing the requirement for maintenance of "a uniform system of free public schools" were reported favorably for floor action in the legislature. Other measures called on certain organizations to file membership lists.

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But states erect new bars—

From Louisiana to Maryland high courts say: 'Integ rate'

News, Pg.

B'ham Ala

Wed. 3-5-58

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Survey Cites Progress Of School Mixing

2 More Districts Desegregate

Chicago Ill.

Sat. 3-15-58

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Defender p. 22

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VIRGINIA—The General Assembly adopted a "Little Rock bill" and moved to plug loopholes in anti-integration laws as the Fourth Circuit Court upheld desegregation orders in Arlington County.

WEST VIRGINIA—The legislature adjourned without passing any bills dealing with school segregation - desegregation. Seating arrangements at a boxing tournament led to withdrawal of several entries.

14d(1) 1958 SOUTHERN SCHOOL NEWS MICROFILM ON DESEGREGATION BEING PRODUCED

Microfilm On Desegregation Being Produced

World P.5

B'ham Ala

NASHVILLE, Tenn. — Southern Education Reporting Service, publishers of Southern School News, announced here this week that it has in production a microfilm of its complete library on the school segregation-desegregation question.

The microfilm, to be completed by early summer, will contain a collection of over 100,000 items that have been written about school desegregation and race relations since the U. S. Supreme Court opinion of May 17, 1954 declaring segregation in the public schools unconstitutional.

Sat 5-3-58

The colelction, which is the only one of its kind in the country, will include nation-wide news stories editorials from some 500 newspapers; cartoons; texts of court decisions, 150 legislative acts, Supreme Court hearings, legislative and congressional hearings and texts of important public addresses.

The film is being produced and marketed in quantity for the use of newspapers ,periodicals, educational institutions and libraries.

It has been over a year and a half in preparation. The film will include an extensive itemized index both within the film and in printed form.

SERS was established in July, 1954 by a board of Southern newsper editors and educators for purpose of providing factual, ctive information to school adnistrators, public officials and news media on developments in education arising from the Supreme Court opinion.

Integration Fight Is Being Filmec

Appeal P.15

SERS Preserving Important Data For Market

Special to The Commercial Appeal

NASHVILLE, May 1.—A collection of more than 100,000 items written about school desegregation since the United States Supreme Court decision in 1954 is being recorded on microfilm by Southern Education Reporting Service.

Memphis, Tenn.

A 5-2-58

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2,246 Remain Segregated

Defender P.21

Chicago Ill.

NASHVILLE, Tenn. — Southern School News said here that for the first time since 1954 there were no year-end reports of public school desegregation anywhere in the 17-state southern and border region.

Sat 1-18-58

Ninety school districts desegregated during calendar 1957, the publication reported, in noting that no additional districts had opened their schools to pupils of both races since November or had made plans to do so. The total of desegregated districts stands at 762 out of 3,008 districts having pupils of both races.

For the first time sincee 1955, Southern School News also reported, continued lower school segregation was being challenged in one of the four Deep South states of Alabama, Mississippi, Georgia and South Carolina. Negro parents in December filed suit to gain entry for their children at two Birmingham, Ala., all-white schools.

Court activity, said the publication, has made most of the year-end news. It pointed to three "significant" legal actions in addition to the Birmingham case:

U. S. Fifth Circuit court: Reversed a district court which had ordered Dallas, Texas, to begin deseegregation at mid-term — the first instance since 1955 of a higher court directing a lower court to "go slow."

Virginia Supreme court: Upheld state's pupil placement law in a case which involved white plaintiffs only.

U. S. District court, Nashville: Asked to approve a "parents' preference plan" for further desegregation of the Tennessee capital's schools.

A summary of major developments state-by-state during December follows:

ALABAMA

In the first legal challenge of segregation in elementary and primary schools in the state, suit was filed in federal district court on behalf of four Negro children. The plaintiffs ask that the state's pupil placement law be declared invalid and that they be allowed to attend the schools nearest their homes without regard to race.

ARKANSAS

Though federalized National Guard troops were withdrawn from Central High school during the Christmas holidays, Little Rock still was the center of the segregation - desegregation controversy in this state. Pro-segregationisits said the campaign to drive nine Negro students out of the school will never stop. An official of the NAACP, which is engaged in court actions concerning its operating in the state, said the Negro children will never quit.

DELAWARE

Lawyers for Negro plaintiffs and for defendant local school boards filed briefs in an appellate federal court agreeing that authority to plan and order school desegregation lay with the State Board of Education.

DISTRICT OF COLUMBIA

Student achievement records of selected grades in three elementary schools were made public in rebuttal to parents' complaints that "low standards" were driving students of the Georgetown area into private schools. On the national scene, a third southerner was named to the six-member Civil Rights Commission and a Michigan educator was appointed chairman.

FLORIDA

Decision was expected in January in the 18-month-old federal court cases challenging the valldity of the state's pupil assignment act. Though no desegregation has been attempted in the state, there were intimations of concern and suggestions of worsening race relations.

GEORGIA

More proposed bills affecting racial issues were reportedly under preparaion for the legislative session which opened Jan. 13, as a second manifesto on race relations was issued by 33 ministers, this time in Columbus.

KENTUCK

The seventh deseggreation suit in the state since 1954 was filed against the Owen County school board. Kentucky State college (predominantly Negro) reported an increase in white enrollment for evening classes in a program begun last fall in cooperation with the University of Kentucky, while a Negro football star at the University of Louisville won sports plaudits.

LOUISIANA

ana's school system for the 1955-

The annual report on Louisi-56 school year (released last month) reflected efforts to equalize white and Negro educaional opportunities. Orleans Parish's president pledged an all-out fight "by every legal means" against desegregation as ordered by federal courts in a decision now under appeal.

MARYLAND

School bus segregation in a county where desegregation of the schools themselves has begun became an issue before the State Board of Education. The gradual desegregation program of a second county, St. Mary's, also is being challenged before the state board, while in a federal appeals court the screening procedures of still another county, Harford, will undergo a legal test.

MISSISSIPPI

In efforts to speed up equalization of white and Negro schools and to protect accreditation of two Negro colleges, the state legislature has programmed 55.7 percent of the state's general revenues for the next two years for public education. Negro leaders mapped plans for a voter registration drive.

MISSOURI

A three-track curriculum will be launched this month in St. Louis in an effort to provide improved educational opportunities for students of varying achievement levels. The program, conceived four years before desegregation, is said to have potential value in coping with subsequent difficulties caused by inferior backgrounds among some Negro pupils.

NORTH CAROLINA

A former North Carolina educator, in an address before Harding high school students in Charlotte, asked that the students "welcome back" a Negro girl who withdrew from the school last fall under harassment, but a student leader said most of the pupils were "not interested."

OKLAHOMA

In Oklahoma City a visiting Arkansas industrial leader and philanthropist said the Little Rock desegregation scene is "quiet, not settled." Seven city schools were reported to have mixed student bodies this year, one less than last year, and a school official said pressures following publicity of teacher integration plans caused postponement of this phase of desegregation.

SOUTH CAROLINA

Reports of both racial animosity and racial amity were noted as a circuit solicitor who had pledged a crackdown on racial violence was threatened. Ku Klux Klan groups went into federal court to settle a factional dispute.

TENNESSEE

Nashville Board of Education asked a federal district court to approve a voluntary segregation plan as the method of completing the desegregation program begun with court approval, in the fall, while plaintiffs in the original case court order that schools there sought complete desegregation of the city's schools.

TEXAS

The Dallas school board won a reprieve when the U. S. Fifth Circuit Court reversed a district be desegregated at mid-term, later this month. The school board president than announced the board probably will disclose its plan for desegregation in the "early summer." Still unresolved in the board's liability under a state law requiring a referendum before desegregation can begin, a court action to settle this issue having been dismissed.

VIRGINIA

The state supreme court upheld the pupil placement law in a case involving white plaintiffs, while a federal appellate court has been asked to sell out which portions of that act, if any, it considered unconstitutional. Efforts to revive the Ku Klux Klan drew a warning from top religious leaders.

WEST VIRGINIA

Bluefield State college, predominantly Negro, which has been experiencing difficulties since it was desegregated in 1954, along with nine other institutions of higher learning, was recommended for continued operation with some organizational and curriculum ges.

Summer Brings Integration Lul

Commercial

Three Districts To Expand Programs In Fall

Appeal

764 NOW DESEGREGATED

P. 17

Special to The Commercial Appeal

NASHVILLE, June 6.—A summer lull appears in the offing on the school integration front in most sections of the South with new programs slated for the fall.

Memphis, Tenn.

Southern School News reported Friday the count now shows 764 of 2,889 districts desegregated, all but 15 of them in border states. All school districts in Virginia, South Carolina Georgia, Florida, Mississippi Alabama and Louisiana remain segregated.

Sat 6-7-58

Programs Announced

Expanded desegregation programs for next fall were announced by three districts in Maryland and Kentucky, while two "Little Dixie" districts in Oklahoma reported they would shoulder the burden of maintaining segregated schools under the state's financial aid policy for at least another year.

Delaware was at the center of the legal spotlight. Sitting at Philadelphia, the United States Third Circuit court ordered the state Board of Education to formulate a desegregation program for the entire state. This was the first such action by a court involving any of the 17 states affected by the 1954 decision in Brown vs. the Board of Education. But it was an order with which the Delaware board moved promptly to comply.

A summary of major developments includes:

Alabama

In ruling on Alabama's first public school entry suit (at Birmingham) a three-judge Federal court held that the state's pupil placement law was not unconstitutional "on its face" but allowed for the possibility that it might be found "unconstitutional in its application."

Arkansas

The first Negro student graduated from troop-guarded Little Rock Central High School at ceremonies which were conducted without major incident. Meanwhile, the school board asked for a delay until January 1961 in the resumption of integration. Ozark was disclosed to have readmitted Negro children at midterm.

Florida

Southern mayors meeting at Jacksonville set up a central police intelligence agency to combat religious and racial bombings. Gov. LeRoy Collins proposed Federal-state commissions to decide the wheres, whens and hows" of school integration in the light of local conditions.

Georgia

Way was cleared for trial of Georgia's first school entry suit (in Atlanta) but it was expected that the case would not be heard until next year.

Louisiana

In Washington the United States Supreme Court held that the preliminary injunction against segregation in the New Orleans school case should not be overthrown on a technicality, and a lower Federal Court heard a new plea from the school board for dismissal based on the argument that the state, not the board, is the proper defendant in the case.

Missouri

School administrators estimated that 95 per cent of the state's Negro school children are enrolled in districts which are desegregated at some level.

Desegregation Is Slowing Down

Director Of Southern Education Reporting Service Says Full Compliance With Supreme Court Decision Is Not Yet, Declines To Say When

[Don Shoemaker became a prominent journalist as editor of The Asheville [N.C.] Citizen. *He resigned to become editor of* Southern School News, *an impartial monthly publication that records in detail news of desegregation and refusal to desegregate in Southern schools. It is financed by the Ford Foundation. En route to New Orleans, Shoemaker stopped over in Montgomery this week to visit newspaper friends, and the following interview resulted — Ed.]*

Q. When if ever will this controversy over mixed schools in the South end?

A. You know very well we [*Southern School News*] don't make value judgments.

Advertiser
Montgomery Ala

Q. When in your opinion will the need for *Southern School News* be at an end?

A. If and when the newspapers begin to give objective and factual coverage of the question, and I am not speaking of your newspaper, sir, which is a paragon of excellence in this regard. When there is general reporting of the school story in depth and with more accuracy, then maybe this will come to an end.

Q. Do you think the colored element will continue to press for integration or will they, at some time in the future, become content with more or less separate schools?

A. I am paid not to think. That is one of the delights of my present situation. After having to think [as an editor] at least five times a day for many years, I no longer think.

Q. You are very familiar with the statistics on this subject. To what extent has there been any integration? For example, in North Carolina what percentage has been integrated?

A. Nine Negro children out of 320,000 in North Carolina. In the mid-South states of Arkansas and North Carolina and Tennessee, altogether, about 270 Negro chidren are in mixed classes. One of the difficulties in appraising this matter is the general misunderstanding of what the Supreme Court meant. The Parker dictum of the 4th Circuit Court in North Carolina was that the Supreme Court did not say that there must be integration. It said that all other things being equal, then any child could go to any school of his choice. Now under that dictum many Negro children have been eligible to go to all white schools but have not elected to do so for one reason or another. The fact remains after four years there are only about 270 Negro children in mixed schools in three mid-South states and none whatever in the states of the Deep South in the elementary and secondary levels.

HALF THE COLLEGES

Q. What are the corresponding statisics on the colleges and universities?

A. There are students of both races in about 110 out of 205 tax-supported institutions of higher learning in the whole area. The only states where there is no desegregation whatever in colleges public or private are South Carolina, Georgia and Mississippi. Alabama has two private colleges in which there is some desegregation. Spring Hill is one and I believe Talladega is the other. They are both private institutions. Talladega always has had an integrated faculty. It is one of the old Freedman Bureau schools.

Q. Well, on the basis of those statistics that represent four years of response to the Supreme Court dictum, how long will it be until you have integration? At this rate of progression, how long would it take?

A. Well, again that is a matter of value judgment entirely. This can be said. In the first two years after the Supreme Court decision, roughly 450 school districts were desegregated. In the third year something like 200. In the fourth year, beginning last fall, only 29. And from September to January this year no new desegregation was announced anywhere until the middle of January, when a school district in Creek County, Oklahoma, announced it was going to desegregate next year—purely because of economic reasons. They could no longer afford to maintain separate schools for a few Negroes in the district. So it could be said factually that the so-called progress or process of desegregation had been slowed down considerably by this year. All but 15 of the present desegregated districts are in the border states and Texas. They were the easiest ones to desegregate.

Q. I get the impression reading your organ that the NAACP in this past year for some reason has ceased to enter these suits to break down the barriers in the school. For example, in Alabama there is only one case of the NAACP trying to batter its way into the schools. Is that some strategic decision to let the thing cool off for a while and digest what the courts have already decreed in their behalf?

NO QUARTER OFFERED

A. All public statements by the NAACP spokesmen have been to the contrary. For instance, they criticized Atty. Gen. Rogers for saying there should be a cooling off period, and Thurgood Marshall and others have said recently that they are going to keep up the effort to desegregate schools. They say there are more suits available than they are able to press. Now within the last couple of weeks a suit has been filed in Atlanta under the aegis of the NAACP in which 10 parents are suing to get 28 children into four or five schools in Atlanta, and there are some 29 court cases still active involving school entries.

Q. All the same, we still get the impression that they are soft pedaling these suits for the time-being to digest what is already awarded to them and I am still curious to know whether or not that is a decision on their part or whether it is a purely natural diminution of their activity. I realize, of course, that the NAACP doesn't initiate these suits but they can certainly encourage and influence those colored parents who do initiate the suits and it does seem that one hears far less about court activity in the past year than the year before that.

Sat. 2-8-58

A. Well, that is another yes and no thing. I pointed out that for the first time they are trying to crack the deep South in Atlanta and Birmingham, in which there is very strong resistance. In Virginia you have five school districts that are under court order of one kind or another to desegregate promptly. Some of them are overdue. But there are five cases in Virginia and in those cases a spokesman said, according to our current issue [of *Southern School News*] that they did not plan to press for integration during this school year. Now some of those districts like Arlington and Charlottesville were under court order to desegregate last fall. The NAACP is not pressing complaints at this time. So to a degree you are correct in saying they have slowed their effort to some extent, but still we must place against that the efforts, as you say, to crack Atlanta and Birmingham.

P. 4A

MONTGOMERY AND LITTLE ROCK

Q. Switching here a little bit, up until the time of Little Rock I think there is no question but what Montgomery was the most famous, the almost mystical dateline of all. Montgomery carried deeper symbolism for the North and countries abroad than any other. How does Montgomery stack up now with Little Rock as a symbol?

A. Well, there again you're getting me into an area where I can't make any evaluation. These things as they occur claim the headlines almost all over the world. In each of those three cases entirely different things were involved. Tuscaloosa was a college entry suit. Montgomery was a bus controversy growing out of the Brown decision. The third is Little Rock which is really so to speak a constitutional issue in which the relative powers of the federal and state governments come into conflict. Little Rock is a symbol of a different sort of thing which some people disassociate perhaps entirely from desegregation.

Gov. Faubus has said many times that he is not opposed to integration where the community is ready to accept it. An example of that is right there in Arkansas, Van Buren, which has 25 or 30 Negro students in its school against nine in Little Rock. But these are symbols of different things, just as now we have another symbol in New York and Brooklyn schools situation.

Q. On the basis of bloody nose for bloody nose, and stab for stab, would it be correct to say that there has been more violence in the New York and Brooklyn schools than in all the South together?.

BLOODLESS REVOLUTION

A. I am not familiar enough with that situation. We under our charter and under our plan of operation merely cover the schools that were affected by the Supreme Court decision and those schools who were not affected by it. So I don't know. We have it in our book *With All Deliberate Speed* that there has been no real bloodshed anywhere in the South or the border states up to the time of Little Rock. I think the most serious casualty of any one of the phases was the newspaper photographer in Nashville, he got his face a little cut up in Clinton. That has been one of the remarkable aspects of this. It can be said without challenge there has been relatively little physical contact and hardly any blood shed in this situation. On the other hand, there has been scarcely any desegregation.

Q. There is a real need for a non-partisan agency such as yours to report one of the great domestic evolutions or revolutions in the South. But in consideration of what you've read in the reports by the equally non-partisan Associated Press of the disorders in the New York schools—that taken with the vast migration from the South that is still in progress—why wouldn't it be in order to extend the *Southern School News* reporting service to include those areas up there where they are having trouble growing out of the same difficulty?

DON SHOEMAKER

School Desegregation Is Subject Of Report

News & Courier, Charleston S.C. P. 4

Jan. 1-7-58

14d

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OKLAHOMA—In Oklahoma City a visiting Arkansas industrial leader and philanthropist said the Little Rock desegregation scene is "quiet, not settled." Seven city schools were reported to have mixed student bodies this year, one less than last year, and a school official said pressures following publicity of teacher integration plans caused postponement of this phase of desegregation.

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WEST VIRGINIA — Bluefield State College, predominantly Negro, which has been experiencing difficulties since it was desegregated in 1954, along with nine other institutions of higher learning, was recommended for continued operation with some organizational and curriculum changes.

Integration Slowdown Is Indicated

Constitution P. 15 — Atlanta Ga.

Jan. 1-7-58

(Copyright 1958, The New York Times Co.)

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Dixie School Changing Is At Standstill

Post-Herald B'ham Ala. P. 17

Jan. 1-7-58

Survey Indicates No Year-End Mixing

Special to The Post-Herald

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SLOWDOWN NOTED IN DESEGREGATION

Times P. 22

New York N.Y.

Report Finds School Bias Has Been Ended in 762 of 3,008 Districts

Tues 1-7-58

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Court Actions Noted

Most of the year-end news in the controversy over desegregation was the result of court action. In addition to the Birmingham case, other "significant" legal action, The News said, included:

¶The reversal, by the United States Fifth Circuit Court of Appeals, of a district court decision ordering Dallas, Tex., to begin desegregation at midterm. This was the first instance since 1955 in which a higher court had directed a lower court to "go slow" on integration.

¶The upholding by the Virginia Supreme Court of the state's pupil placement law in the case involving white plaintiffs only.

The United States District Court at Nashville set for hearing Jan. 28 a new "voluntary" integration plan advocated by local segregationist organizations. The National Association for the Advancement of Colored People, in reply, said the "voluntary" integration plan was the same as the "voluntary" segregation plan previously rejected by the court. The N. A. A. C. P. asked for complete desegregation next fall.

NO NEW INTEGRATION REPORTED IN MONTH

Commercial

P. 1 Appeal

90 Districts Were Merged During Past Year

Memphis Tenn.

TOTAL NOW PUT AT 762

Mon. 1-6-58

Special to The Commercial Appeal

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14d(1) 1958

SOUTH CAROLINA

$25,000 FEE FOR LAWYERS WHO REPRESENT
STATE PRO-SEGREGATION SCHOOL CASES

$25,000 fee for lawyers

COLUMBIA, S.C. — An "expression of appreciation," $25,000, is being held by the state treasurer for two white lawyers who represented the state in pro - segregation school cases.

8.19

A state official made the matter public Monday. The money is for legal help of Charleston lawyer Robert McC. Figg, Jr. and Attorney S. E. Rogers of Summerton, both of whom worked against NAACP lawyers, headed by Thurgood Marshall, in the Clarendon County school case.

Neither is reported to have yet received any compensation from the state, which wasn't a party in the case.

A spokesman for the state said the money was just "an expression of appreciation."

A third lawyer, now dead, John W. Davis of New York, received a silver tea set from Gov. James F. Byrnes for his work on the case.

14d(1) 1958 SOUTH CAROLINA

Courtenay To Be Vacated As A White School Today

15 Teachers Reassigned In The City

News Courier
Charleston, S.C
Wed. 7-30-58
P. 1-B

By MARJORIE C. CAMPBELL
News and Courier Staff Writer

This is moving day at Courtenay Elementary School.

White school teachers plan to move their equipment from the Meeting Street building (which will house a Negro Elementary school this fall) into the classrooms they will occupy at the remaining three white elementary schools.

Thomas A. Carrere, acting superintendent of District 20 schools, said yesterday all Courtenay teachers had been reassigned and planned to move today.

Of Courtenay's 15 teachers, four will move to Memminger, nine to Mitchell and two to James Simons Elementary Schools. Included among the teachers going to Memminger is Mrs. Mary Louise Schroder, who is instructor for the special education class for retarded children.

Also moving to Memminger are Mrs. Thelma Bost, Mrs. Alice Clowney, and Mrs. Dorothy Tennell.

Mitchel School's faculty will be boosted by the addition of Miss Elsie Cannon, Mrs. Virginia Kuhne, Miss Waring Grace, Mrs. Emmee Anderson, Miss Vera Davis, Miss Wilhelmina Behlmer, Miss Mattie Easterby, Mrs. Roberta Freda and William Emery.

Miss Eileen Meyer and Miss Leona Altman will move to James Simons School.

Also transferring to Mitchell School will be Miss Erna E. Rugheimer, who has been serving as secretary at Courtenay School. The school's lunchroom supervisor for many years, Mrs. Johanna Bosch, retired at the end of the last school year.

GIBBS IS PRINCIPAL

It was announced earlier that John Gibbs, principal at Courtenay School, would become principal at Mitchell School.

Carrere also announced yesterday that re-districting of all elementary schools in the city had been completed.

He pointed out that the conversion of Courtenay to a Negro School would result in the transfer of about two-thirds of its former white students to Mitchell School and one-third to Memminger. None will be transferred to James Simons, he said.

"All children living South of Mary Street in the old Courtenay District will attend Memminger," he pointed out, "and all north of Mary will attend Mitchell."

ORDER RESCINDED

Carrere said the re-districting also rescinds an earlier re-zoning order which would have changed the James Simons District's southern boundary. The southern boundary now will remain on Congress Street, he said.

Re-districting of Negro Schools and re-assignment of teachers also have been completed, Carrere announced, and Negro teachers plan to begin the move to Courtenay by the end of this week.

"We're getting set up well ahead of the start of the school term," Carrere said, "so we'll have plenty of time to iron out any problems that might arise."

The white school districts, as revised, have the following boundaries:

MEMMINGER: The northern boundary follows Bee Street east to Rutledge Avenue, Radcliffe Street east to Coming Street and Mary Street east to America Street, forming a belt across the city from the Ashley River to the Cooper River. The district takes in the southern part of the peninsula upon which the city is built.

MITCHELL: The southern boundary of Mitchell District is the northern boundary of Memminger District. The northern boundary of Mitchell District extends east from Congress Street to the southern Railway yards and from Huger Street east to the Cooper River, forming another band across the city and including the mid-town area.

JAMES SIMONS: The southern boundary of James Simons District is the northern boundary of Mitchell District. The northern boundary extends from the Ashley River to the Cooper River via Mount Pleasant Street, the city limits. This district includes the northwest section of the city which is heavily populated by white families.

There are only three districts. However, the same area includes six Negro districts with a heavy Negro population in the mid-town area. The districts, by boundaries, follow:

BUIST: Buist District includes the downtown area and is bounded on the north by Calhoun Street from the Ashley River to King Street, then east on John and Chapel Streets to Alexander Street. It also takes in Wragg Borough, Negro housing project.

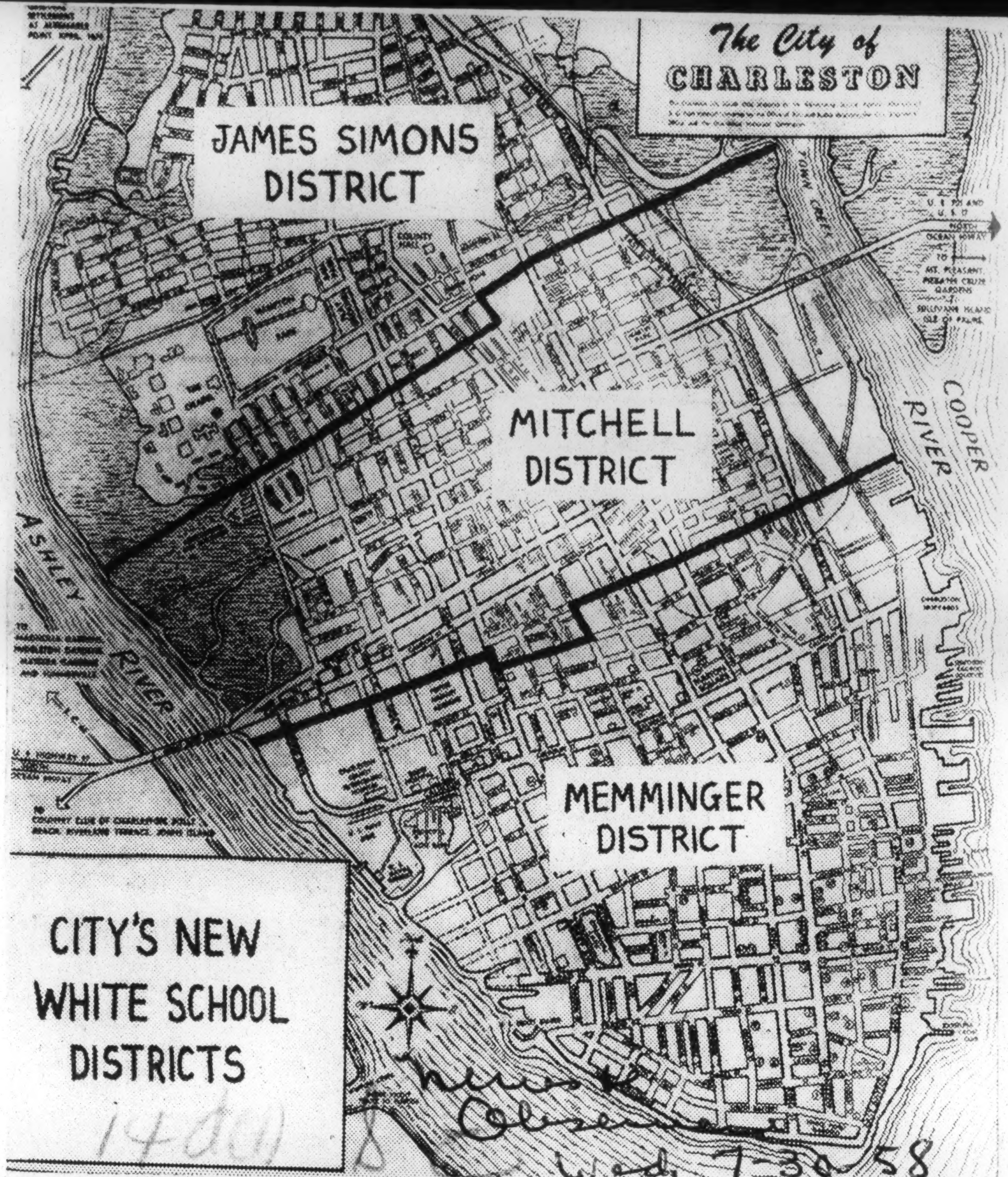
COURTENAY: This is the new district brought about by the transfer of Courtenay to Negro pupils. Its boundaries are marked by moving north on Ashley Avenue from Calhoun Street to Spring Street, then east on Spring from Ashley Avenue to King Street, south on King to Mary Street, east on Mary to America Street, south on America and Alexander to Chapel Street, west on Chapel and John to King Street, south on King to Calhoun Street and west on Calhoun from King to Ashley.

RHETT: The Rhett District boundaries run south on King Street from Mount Pleasant Street to Race Street, south on Coming Street from Race to Spring Street, west on Spring from Coming to Ashley Avenue, south on Ashley from Spring to Calhoun Street, then west on Calhoun from Ashley to the Ashley River, which forms the western boundary.

ARCHER: The western boundary of Archer District is the eastern boundary of Rhett District. The other boundaries are south on King from Mount Pleasant Street to Race Street, south on Coming Street from Race to Spring Street, east on Spring from Coming to Meeting Street, north on Meeting from Spring to Line, east on Line from Meeting to Hanover Street, north on Hanover to Williman and north on East Bay Street Extension to the city limit.

EAST BAY: The eastern boundary of East Bay District is the Cooper River, the southern boundary runs east on Line and Blake Streets to the Cooper River and the western boundary north from Line to Williman on Hanover Street.

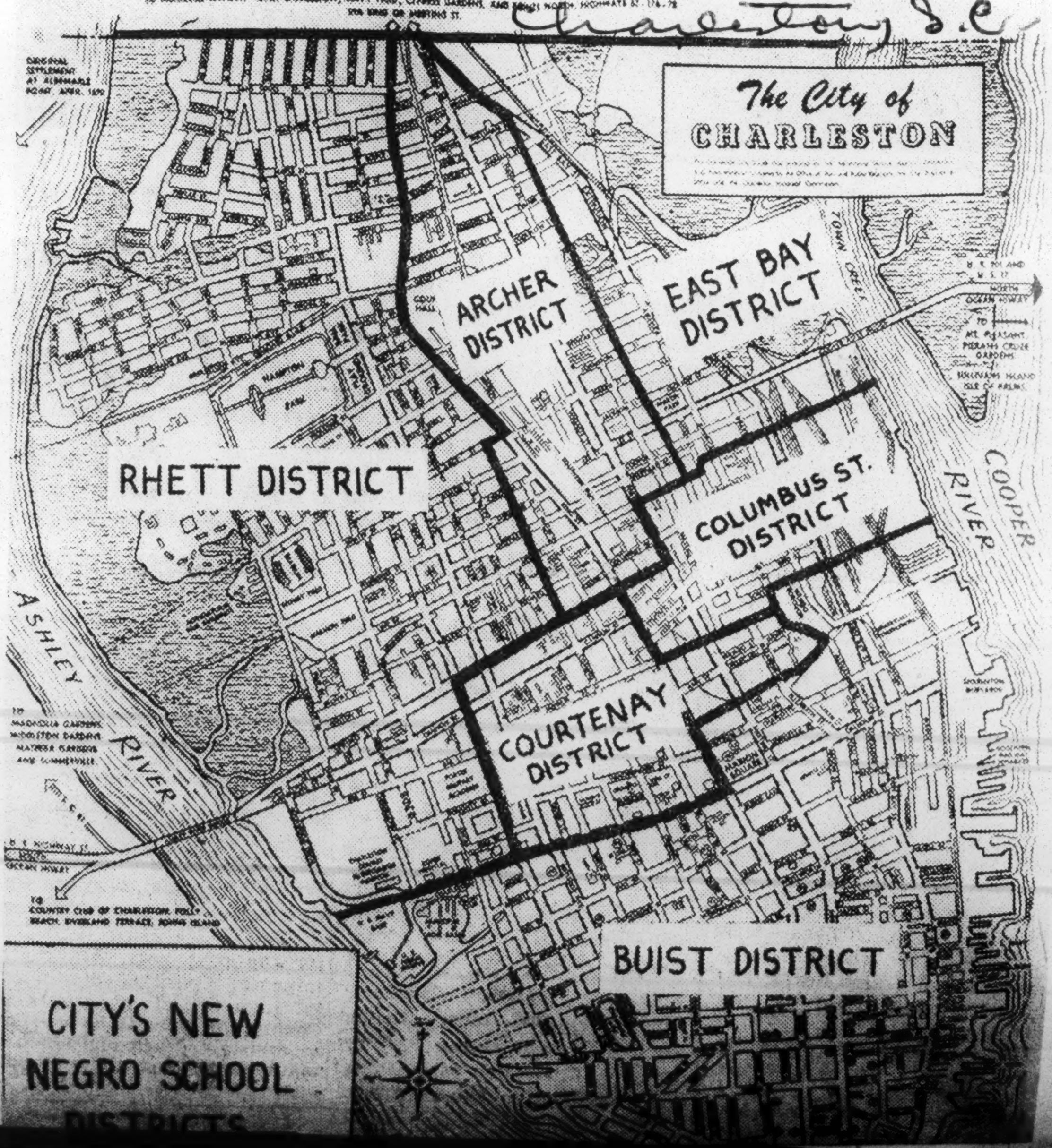
COLUMBUS: The Columbus Street District runs south on King Street from Spring Street to Mary Street, east on Mary from King to America Street, north on America to South Street, east on South to the Cooper River, west on Blake and Line Streets from the Cooper River to Meeting Street, south on Meeting from Line to Spring and west on Spring from Meeting to King.


The City of CHARLESTON
JAMES SIMONS DISTRICT
MITCHELL DISTRICT
MEMMINGER DISTRICT
ASHLEY RIVER
COOPER RIVER

CITY'S NEW WHITE SCHOOL DISTRICTS

1480(1) 8

News & Observer
Wed. 1-30-58
Charleston, S.C.


The City of CHARLESTON
ARCHER DISTRICT
EAST BAY DISTRICT
RHETT DISTRICT
COLUMBUS ST. DISTRICT
COURTENAY DISTRICT
BUIST DISTRICT
ASHLEY RIVER
COOPER RIVER

CITY'S NEW NEGRO SCHOOL DISTRICTS

14d(1) 1958

SOUTH CAROLINA

Segregation To Be Issue, Russell Says

NORTH AUGUSTA, Jan. 14 (Special)— The preservation of racial segregation in the schools of South Carolina will be a prominent issue in this year's gubernatorial campaigns, Donald Russell, former University of South Carolina president and candidate for governor, said here last night.

News + Courier

P. 1-B

Wed. 1-15-58

Charleston S.C.

Russell said his position on the question is to "follow the letter of the law," according to The Augusta Chronicle report of his address at the opening of North Augusta's third annual Community College for adults.

Under South Carolina law, all state funds will be withdrawn from any school which attempts integration.

The speaker said in an interview that South Carolina's need, in his opinion, is an extension of educational opportunities "on all levels."

Asked if this includes the topic of increased pay for school teachers, Russell replied that "that question is before the Legislature right now and I do not feel it proper that I make any comment on it."

He added that he did not know how many candidates will be in the race for governor and attached no significance to his being the first to annonuce.

Bill To Take S. C. Schools 'Out Of Politics' Advances

Would Appoint Education Supt.

COLUMBIA, Jan. 28 (AP)—A move aimed at taking schools out of politics advanced in the General Assembly today.

The House gave 86-26 two-thirds approval to a constitutional amendment referendum resolution that would remove the state superintendent of education from popular election.

The $10,000-a-year job is a constitutional office. The proposed amendment, if the resolution wins Senate approval later, would be voted on in the November general election.

News + Observer

P. 1-B

Wed. 1-29-58

Charleston S.C.

"The man heading our educational system should have a broad popular following and not be some stooge elected by a board," Rep. Hart of Union declared in opposing the measure by Rep. Marchant of Greenville.

"We have a date with destiny and that date could come any time," he said. "When it comes," the superintendent should be "popular."

"This would just open up the possibility," Rep. Anderson of Darlington objected, "for a fat job for a fat somebody on a fat salary."

He said "the people should be able to vote, for dogcatcher if possible."

Despite the opposition, the healthy vote of approval endorsed majority views expressed last week by Rep. Spruill of Chesterfield and others.

BOARD IS APPOINTED

They said an elected superintendent can hardly be expected to be responsible to the State Board of Education.

"Let's not put the cart before the horse," Rep. Harrellson of Colleton noted as he proposed election of the board by popular vote, and added: "Let's not get away from the voice of the people."

The board now is appointed by the governor.

Last week's vote fell barely short of the required two-thirds and the matter was held over to today.

The senate set 11 a.m. tomorrow as special order time for taking up the Senate Finance Committee's version of the House-approved 150 million dollar 1958-59 General Appropriations Bill.

The finance version substitutes withholding of personal state income taxes for a diversion of one cent of the gasoline tax that the House voted to meet an impending 6½ million dollar state deficit.

OTHER CHANGES

Other changes by the Finance Committee eliminate a $7.50-a-day expense allowance for legislators in subsequent sessions, rip out a requirement that distilleries selling their products in the state must domesticate in South Carolina, and add $400,000 to the State Medical College Teaching Hospital appropriation.

New and expanding industries would be attracted, their authors said, by seven corporate income tax change bills given second Senate reading.

The principal change is a new, optional formula using payrolls, sales and property to compute the 5 per cent income tax owed by out-of-state corporations on their South Carolina operations.

The present formula of property and manufacturing costs—with manufacturing costs changed to payrolls—would be continued.

The assembly set noon tomorrow for a joint assembly to elect a successor—Sen. Julius B. Ness of Bamberg, 42, is the only announced candidate—to retiring State Second Circuit Judge E. H. Henderson of Bamberg, who will step down on his 72nd birthday Oct. 26.

NEW BILLS

The House received a number of new bills, among them ones to:

Increase maximum workmen's compensation from $10,000 to $12,000, by Rep. Poliakoff of Spartanburg.

Allow an injured worker to select his own physician, also by Poliakoff.

Bar appearance as a courtmartial witness of anyone who had appeared against the accused in a civilian trial, by Rep. John Grimball of Richland.

Require legislative delegation approval of all non-profit charters, by Rep. Lindler of Lexington.

Elect the chief highway commissioner by popular, statewide vote, by Rep. Anderson of Darlington. He now is elected by the State Highway Commission.

Russell Tells Plan To Prevent Mixing

OLANTA, March 7 (AP)—Donald S. Russell of Spartanburg unveiled here tonight a scholarship plan aimed at avoiding racial integration in South Carolina schools.

Russell, former president of the University of South Carolina, is a candidate for governor. He outlined his plan in a speech tonight to the Citizens Council of Olanta.

Courier P-1

Sat 3-8-58

Charleston S.C.

Here are major provisions of the Russell plan:

The state now provides financial aid to school districts through the counties. In case a court were to order any district integrated, and that district were closed by the Legislature, the General Assembly still could provide state aid funds.

The aid could be provided by direct scholarships. These would go to individual students, not to the districts. The student would be required to enroll and attend regularly some school "whose teachers met accepted standards of qualification, but whose operation would not be under the supervision of the state."

Present county or school district supplements could follow the same pattern, said Russell.

"In other words," he continued, "the state and the school district involved would provide the student with his tuition to attend a school, private or otherwise, of his choice ,within reasonable radius of his home.

"But the student himself would select voluntarily the school he would attend and that school would not be under the control of the state.

"It would be in the nature of a scholarship, no different in principle from the national college scholarships, now advocated in Congress, or the scholarship grants made to veterans of the last war.

"These tuition grants would be made without discrimination as to race or creed and would, in no view of the matter, offend the terms of the 14th Amendment as interpreted by the Supreme Court."

This would mean, said Russell, that private school systems operating in conformity with local customs would be created in the school districts. Since these could charge tuition equal to state and school district supplements, these schools would have about as much income as present public schools.

One significant difference, he noted, is that the private schools would be locally controlled and locally managed, even more than public schools of today.

Bus transportation probably would be no problem, Russell indicated. He said the Supreme Court has ruled that public funds may be used to transport pupils to and from a private school.

If the plan were adopted, it would "render the existing school buildings of no use for the former public school district," said Russell. The General Assembly, he noted, could provide for the sale or lease of such "surplus" buildings on terms available to all.

South Carolina Stands Pat On Segregation Legislation

Constitution Atlanta Ga. P. 7 E.

Sun. 3-16-58

No New Laws Needed, Gressette Committee Informs Legislature

By S. L. LATIMER JR.

Editor, The Columbia State
Special to The Atlanta Journal-Constitution

COLUMBIA, S.C., March 15—Declaring that there is "more sympathy outside the South than at any time in recent years" for the "Southern position," the Gressette Segregation Committee, whose chore is to avoid integration in the public schools of this state, has reported to the General Assembly that it sees no need at the present time to enact any new segregation legislation.

"The schools are operating progressively and smoothly," the legislators were told, "and in other racial fields the state is as free from incidents and civil strife as any other state in the Union, and more so than most.

Taking New Look

"Perhaps the tragedy of Little Rock," the report continues, "provided the shock that we needed to awaken most Americans to the fundamental danger. Writers and publications previously hostile are taking a new look, and changes in their attitudes are discernible."

The Gressette Committee—so called because its chairman is Sen. L. Marion Gressette—is composed of representatives of the Senate, the House and members at large appointed by the governor. This group is responsible for practically all of the major steps that have been taken in this state to maintain segregation within the scope of the United States Supreme Court decision of May 17, 1954, and its subsequent implementation order of May 31, 1955.

As cited in this correspondence previously, the main reliance is upon a law that would deny state aid to any school

SOUTH CAROLINA

accepting a pupil on court order (regardless of what kind of court order it is) with the same penalty to apply to the school from which the pupil was transferred. Another step thought important was repeal of the compulsory attendance law. Earlier, during Gov. Byrnes' administration, the Constitution was amended to eliminate a provision that made it mandatory upon the General Assembly to maintain a public school system.

The Gressette Committee in its report to the legislature noted that "the problem of race is rapidly spreading to other states and communities and is being painfully shared." Another comment was that South Carolina's present segregation laws are "holding their own, undisturbed."

Clarendon Case

It will be recalled that one of the prime cases — if not the prime one — upon which the Supreme Court ruled in its 1954 decision upsetting the long-established doctrine of separate, but equal, facilities, arose in a school in Clarendon County this state. But the schools in Clarendon are operating today on the same dual basis as they used before the court handed down its opinion. In fact, nowhere in South Carolina today is there an integrated public school.

South Carolina as a state never became a party to the Clarendon suit, carefully avoiding any move that would extend the suit beyond the boundaries of the school district originally involved. This was not true in some states. Thus in South Carolina only the Clarendon district is directly under orders of the three-judge court to which the case was sent for implementation of the highest court's ruling.

So far civil rights legislation of any kind has had little mention in the General Assembly now sitting and the official statement by the Gressette Committee that it sees no need at present for any further tightening-up can be taken to mean that unless something unforeseen arises no new moves in this field will be made during the remaining part of the session.

$1 Million Allotted For S. C. Schools

News Courier

COLUMBIA (AP) — The State Educational Finance Commission Thursday allocated $1,192,954 for construction under the state's school building program.

Total allocations under the program since 1951 amount to $182,615,638. The commission said 50.15 per cent of the total has gone to Negro school projects.

The county allocations included: Anderson $203,752; Charleston $174,817; Horry $123,344; Orangeburg $171,303; Richland $11,660; Spartanburg $300,378, and Union $20,298.

Charleston S.C.

Dr. G. Creighton Frampton, Charleston County superintendent of education, said allocations include approximately $80,000 for St. Paul's High School, $76,817 for St. John's High School and $14,000 for McClellanville High School.

Funds granted to McClellanville High School will be used to build a multi-purpose room. Other funds will be used for additions and renovation to St. Paul's and St. John's high schools.

4-11-58

Work at St. Paul's High School includes additional plumbing, two new classrooms, science and home economics rooms, a new heating system, painting and new equipment. St. John's High School will get a new central heating system, enlargement of science and home economics rooms and painting.

Legal Status Is Reported 'Well In Hand'

News Courier

Charleston S.C.

By DEL BOOTH

COLUMBIA (AP) — Segregation matters were left strictly alone by the 1958 General Assembly.

As Chairman Marion Gressette of the State Segregation Committee put it, his committee could see "no need for further legislation at this time."

Entrenchment of the state's traditional segregation status was well under control by past legislative enactments, Gressette noted.

Sat 4-12-58

Protection for persons accused of violating federal civil rights statutes was proposed, but was bypassed. The attorney general would have been given the right to aid any officials accused of violations.

P 13

RELATED ACT

In a matter slightly touching the segregation front, the attorney general was given the power to investigate records of any nonprofit corporations operating in the state.

This presumably would include records of the National Assn. for the Advancement of Colored People.

Such measures as the courtesy bill were left languishing in committees. This proposal would have required males to obtain permission of a lady before taking a seat beside her on a bus.

TROOP USE

In the field of resolutions, the Legislature adopted one condemning the use of federal troops for enforcing integration at the Little Rock Central High School.

S. C.'s Position In Segregation Under Review

P 8 A

Study Also Is Made Of Actions Taken By Legislature

Thurs. 6-19-58

COLUMBIA (AP) — The State Segregation Committee met in Columbia Wednesday to review South Carolina's position at the end of the school year and to consider segregation matters in the light of the opening of the new school year in September.

News and Courier

State Sen. L. Marion Gressette of Calhoun, committee chairman, said the committee also reviewed "actions taken during the recent legislative session."

Charleston S.C.

Gressette said additional studies "as are indicated will be continued this summer by certain sub-committees, the legal staff and the committee as a whole."

Gressette reminded state and local school officials that the legal staff and members of the committee "are available at all times. . . for such counsel and assistance" as may be deemed necessary

14d(1) 1958

SOUTH CAROLINA

In City Schools

Whites Lose 335, Negroes Gain 335

14d(1)8

News-Courier

Charleston, S.C.

Thurs. 12-11-58

P. 3A

The city school population, as reported yesterday at the December meeting of School District 20, is exactly the same as last year at the same time . . 12,342.

Despite the constancy of the enrollment, however, a marked change in enrollment has occurred in the city's public schools during the past year.

The 12,342 total represents a loss of 335 white pupils and a gain of 335 Negro pupils. It apparently reflects the rapid growth of the Negro population and the equally rapid decrease in white persons residing in the city.

The enrollment figures by Acting Superintendent Thomas A. Carrere were included in his report to the board. He also reported that collections on textbook rentals now total $21,816.50, or approximately 85 per cent in the elementary schools. This represents approximately 99 per cent in the white schools, he said, and 80 per cent in Negro schools.

Rhett Negro Elementary School's Parent-Teacher Assn. reportedly has donated $200 to pay rental for needy students.

Although board members expressed concern over students who still are without textbooks, it was agreed the board must remain firm in it policy of not distributing books until the fee is paid if the program is to be successful.

Several teachers were present at yesterday's meeting. One pointed out that an experimental plan for placing textbooks in the school libraries for use of students without books has not proved practical since the libraries are not open during hours in which the students could use them.

Another teacher said she had two children in her class without books. One child, she said, is one of several school children whose mother is "dying of cancer."

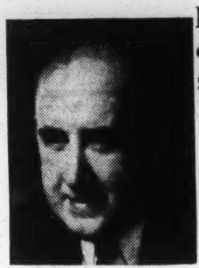
It also was reported that the board is not interested in surplus property available behind the Customs House because there is no practical use to which it could be put.

Carrere reported that Hope School, for trainable retarded children, had paid its $10 rental fee for use of a classroom in Crafts School and had occupied the space. Carrere referred to the school as an "excellent tenant" and said he felt the school is "meeting a need here in Charleston County."

Perspective

Registered U.S. Patent Office

Calm and Determined



by Raymond Moley

CHARLESTON, S.C.—Here, within sight, is Fort Sumter where the Civil War began. In Columbia, where I spent yesterday, Sherman's army at the very end of the war inflicted cruel, ruthless, and unnecessary ruin. Leaders of this state, from Calhoun to former Governor Byrnes, have most cogently and forcefully stressed the rights and responsibilities of the states in the Federal union.

News Week
P 136

Here, as in Columbia, I sought the opinions and conclusions of high state officials past and present, of editors close to the feelings and opinions of their readers, school-board members, administrators of elementary schools and institutions of higher education, and of lawyers who advised and assisted lawmakers in creating a means of meeting the grim problems now highlighted by events in Little Rock.

Oct 14, 1957

Dayton, Ohio

There is real leadership here—responsible, intelligent, and restrained in speech and action. That leadership is calmly, legally, and with great determination going to assert in action as well as in words its conclusion that South Carolina is "not prepared" to mix the races in the schools.

CHANGES IN LAW

To the end that it might meet the crisis created by the Supreme Court, a vast school-building program was started under former Governor Byrnes. So far, about $175 million for that purpose has been authorized, of which $150 million has been spent. Of this, about 60 per cent has gone into building schools for Negroes, who constitute less than 40 per cent of the population. To assure a continuation of separate but equal school facilities for the races, certain legal changes were adopted by overwhelming vote of the people—and Negroes participated in the voting—and by action of the legislature. All provisions for compulsory school attendance were repealed, as well as all references to segregation. It was then made state law that in case any court, Federal or state, ordered the transfer of any pupil, white or Negro, financial support by state or county of both the school to which and the school from which such transfer was directed would be automatically cut off. This would close the schools in question. Thus today here exists "voluntary segregation."

This is supported by the statement that the mental aptitudes of the two races are so different at all levels up to the top of higher education that integration would result in bad and inefficient education of both races.

There can scarcely be imagined a legal device by which the Federal executive or the judiciary can compel legislators to appropriate money for schools. Nor can military force enter schools and educate children. Even if Congress would appropriate and the executive construct integrated Federal schools, it would be a fantastic distortion of the Constitution for the Federal government to enact and enforce compulsory attendance.

DELICATE BALANCE

It is believed that the use of Federal troops to break through this legal barrier would do inestimable injury to those people of both races who are least able to bear it. The races have lived here in harmony for a long, long time. Negroes have advanced educationally, culturally, and economically at a rate that is amazing. Because the races have lived together in such harmony, any action to create a serious friction between them would injure the Negro most of all. For he has, despite his progress, serious and immediate problems. Mechanization, as well as crop restriction and changes in crop types, has driven many from the farms. Only a few can go North for industrial employment, and the development of industry here, with larger opportunities for employment, could be disastrously checked by a state of domestic friction.

The events in Little Rock are viewed here with intense feeling. Leaders feel it to be improper to guess, as well as impossible to judge, the political consequences. Thurgood Marshall has rushed into print with a call for all Negroes to switch to the Republican Party. This, with inferences drawn from the actions of the Federal Executive, causes people here to feel that political advantage has guided Federal policy. Criticism centers upon the Attorney General, but it also has its effect upon the faith and admiration that has been bestowed upon the President in the past.

Bids Are Asked On Bethune School One-Story Additions

News & Courier

Charleston, S.C.

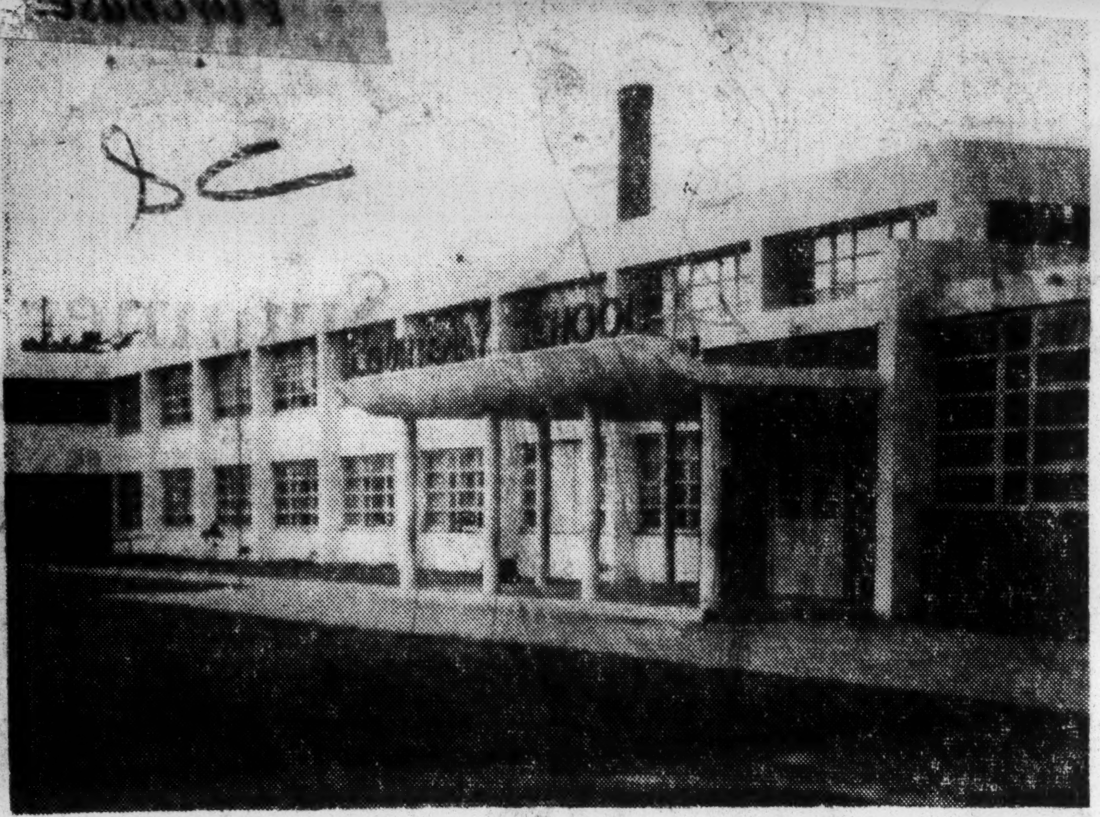
The Board of Trustees of Charleston County School District No. 4 has advertised for bids to construct two one-story masonry additions to Bethune (Negro) Elementary School.

P. 6 B.

All sealed proposals will be received in the office of Cummings & McCrady, architects - engineers, Exchange Street, Charleston, until noon, May 13.

Apr 25, 58

Bid bonds will be required from all bidders, equal to five per cent of bids. Also a performance and payment bond equal to 100 per cent of the contract will be required from the successful bidder upon the signing of the contract.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(Staff Photo.)

COURTENAY SCHOOL IS LOCATED ON MEETING STREET
New Elementary School To Be Switched From White To Negro Pupils

Negroes To Attend Courtenay School

News Courier

Charleston S.C.

By MARJORIE C. CAMPBELL
News & Courier Staff Writer

The much-publicized Courtenay Elementary School on Meeting Street will be occupied by Negro students beginning in Septenber.

Announcement of the transfer of the school from white to Negro students was made yesterday by the Board of Trustees of School District 20.

Sat 7-12-58

Charles A. Brown, chairman, said the board has decided on the action, after months of study, to achieve a more equitable distribution of students and to utilize the school buildings to their maximum usefulness.

P. 1

Brown pointed out that studies indicate the Negro enrollment in school District 20 (city schools) has increased over the past number of years while the white enrollment has declined sharply and steadily.

Explaining that this trend has created an unbalanced situation the classrooms at these schools which are now vacant.

4. All of the white teachers and staff at Courtenay will be reassigned throughout the school systen and where possible teachers will be transferred with the pupils which they would have taught had the white students remained at Courtenay.

In a statement released yesterday the board said the changes would bring the following results which it felt were "highly desirable:"

1. Enrollment at Burke will be reduced from 2,149 to 1,449.

2. Enrollment at Rhett School will be reduced from 1,659 to 1,459.

3. All double sessions will be eliminated.

4. All classrooms in the elementary school system will be utilized.

John E. Gibbs, principal at Courtenay School, will succeed Miss Ruth C. Keever as principal at Mitchell School. Brown said Miss Keever had been offered another position in the school system.

Asked if she planned to accept the school board's offer, Miss Keever said she was not able to comment.

"It came as a great surprise and shock to me," she said. "I knew nothing about it until 8:30 this morning (Friday) and I'm not in a position to comment now."

STAFF CHANGES

Taking over as principal at Courtenay will be Holland W. Daniels, who has been serving in that capacity at Simonton School. Nathaniel L. Manigault, a former mathematics teacher at Burke High School, will become principal of Simonton, according to Thomas A. Carrere, acting city school superintendent.

News Courier

Brown said bids on proposed repairs to Courtenay School would be opened July 21 and work was expected to continue as planned. He said $40,386 allocated for the work and approved by the Charleston County delegation represented part of a surplus and not additional millage.

Sat 7-11-58
P. 7A

The following table shows the pupil population of the year just closed and that estimated for the school year beginning Sept. 4.

	June 5	Sept.4
Courtenay	459	700
Memminger	885	985
Mitchell	397	650
Burke	2,149	1,449
Rhett	1,659	1,459
Simonton	909	940

Grant Calls Integration Power Test

Constitution
p. 3
Atlanta, Ga.

AIKEN, S.C. [illegible] A Georgia segregation leader urges the "immediate massive organization" of rank-and-file white citizens as the South's best anti-integration weapon.

Wed 9-3-58

Hugh G. Grant of Augusta, former U.S. minister to Albania and Thailand, said the executive and judicial branches of the federal government are joined "in a plot to compel a third of the nation's population to change their whole social system through a phony federal 'law of the land,' based on sociological and psychological theories. . . ."

"The issue involves much more than the mixing of the races in the public schools," Grant said Tuesday night at a meeting of the Citizens' Council of Aiken County.

"Basically, it is a test of power between the federal government and the 48 sovereign states of the Union.

"Will the creeping paralysis of centralized, bureaucratic federal control from Washington, which has been in the making a long time, finally destroy all state sovereignty and individual liberties of the people. . . .?"

Grant said the school integration issue is rapidly approaching a showdown and "what happens in Virginia and Little Rock within the next few days will likely set the pattern for South Carolina, Georgia and other Southern states."

Wed 9-3-58

He charged that the U.S. Supreme Court's school integration decisions were based on "sociological and psychological theories" which constitute "totalitarianism, facism, federal police-state communism."

Grant said the "sure way to beat this evil thing" is through the formation of grass-roots organizations in the South which are "determined to use every lawful weapon in defense of their sovereign rights and individual liberties."

Ask SC schools to obey law

Afro American
P. 9

MANNING, S.C.(ANP—Two local school boards announced last week that they had received petitions asking that school districts be reorganized on a non-discriminatory basis. The petitions, requests for integrated schools, might well be the first step in an all-out court action. Three school districts are involved.

Sat 8-16-58

A similar petition involving Summerton school district several years ago was the first step in one of the five cases making the U.S. Supreme Court's school desegregation ruling in May, 1954.

Baltimore Md

School authorities said they "had taken the petitions under advisement" and would answer them at a later date.

Charlotte Negroes Ask Hearing On Integration Plans

News Courier
Charleston S.C.

CHARLOTTE (AP) — Fourteen of the 23 Negroes denied assignment to white schools here have asked for a hearing.

The city school board rejected the 23 transfer applications Tuesday, but state law permits an appeal to the board and further appeal to the state courts.

Thomas H. Wyche, attorney for the 14 Negro children, filed the appeals late Friday.

Sun 8-31-58

Schools will open Wednesday.

It was not immediately determined whether the school board would meet to consider the appeals before the opening of the schools. However, such course appeared unlikely, because the deadline for appealing last Tuesday's decisions is this coming Tuesday and the board's most likely course would be to handle all appeals at the same time.

P. 2

14d(1) 1958

SOUTHERN SCHOOL NEWS

Va. County May Close Schools If Desegregation Is Forced

1490

News & Courier

P. 5-B

58

NASHVILLE, Tenn. (Special) — Southern School News reports that public schools of Prince Edward County, Va., probably will be closed in September "if no legal means are found by the state to prevent desegregation."

This would be the first school-closing move in the South since the U. S. Supreme Court decision of 1954 against segregation. The publication's Virginia correspondent reported that "there is virtually unanimous agreement that the schools of Prince Edward will be closed under state law, and that white residents of the county will carry out their plans to operate a system of private schools for white children."

The county and the state of Virginia recently lost an appeal to the Supreme Court and will not ask for a rehearing. Negro children predominate in Prince Edward, a "Southside" county near the North Carolina border.

Elsewhere on the school front, Southern School News reported further desegregation plans in Louisville, Ky., and Newark, Del. Pine Bluff, Ark., which two years ago scheduled desegregation for September 1958, announced it would delay its plan because of incidents at Little Rock.

The paper also reported two legal moves toward desegregation in the Deep South—the setting of trial of a Birmingham school entry suit for early in April and a decision to hear arguments early this month for a desegregation time limit in New Orleans.

A summary of major developments state-by-state follows:

ALABAMA — Alabama's pupil placement law, challenged by four Negro children who have sought to enter two all-white schools in Birmingham, will get its first legal test in federal court early this month.

ARKANSAS — Desegregation at Pine Bluff, scheduled for September 1958, will be postponed because of events in Little Rock. Gov. Orval Faubus filed as a candidate for a third term.

DELAWARE — A "Little Rock" school-closing bill was defeated for the third time in the legislature but kept alive by a parliamentary maneuver. Each vote has been closer. Racial and community relations betterment efforts were reported from several areas.

Charleston

DISTRICT OF COLUMBIA — Carl F. Hansen, a leading administrative figure in Washington school desegregation, was named acting superintendent of the capital's school system.

S.C.

FLORIDA — One witness stalked out and 15 were cited for contempt in a legislative probe of possible ties between integration leaders and communism.

GEORGIA — The county unit electorial system, long regarded as a segregation bulwark, was challenged by Atlanta Mayor William B. Hartsfield in a lawsuit. Effect of the system is to insure rural domination of the legislature.

KENTUCKY — Segregation-desegregation was not raised one way or the other in the biennial session of the legislature. Louisville is closing a Negro school this summer, at a sizable saving, and transferring pupils to mixed schools.

LOUISIANA — As Sen. William Rainach's committee prepared new pro-segregation bills for the May legislative session, the segregation leader said that the South would not only retain "racial separation" but would export the idea to "a very receptive North."

MARYLAND — Appeals were planned by the NAACP from two rulings by the state Board of Education considered adverse to Negro plaintiffs in two counties. Negro elementary enrollment since 1945 in Baltimore has increased at three times the white increase.

MISSISSIPPI — Public schools gave way to other issues, including a voter registration suit and controversy over discussion of segregation-desegregation at two colleges.

MISSOURI — St. Louis reported as a "perplexing problem" the necessity of absorbing large numbers of Negro children who have moved into local schools from the South.

NORTH CAROLINA — Judges, juries and police were cracking down on Ku Klux Klan activities, and both segregationists and integrationists were attacking operation of pupil placement.

OKLAHOMA — A local district offered the first test of the state's fiscal policy which encourages desegregation, seeking continued state aid for separate schools.

SOUTH CAROLINA — Democratic and Republican state conventions projected the race question farther into politics, while candidates in the forthcoming Democratic primary stepped up their activities.

TENNESSEE — Persons as yet unnamed dynamited the Nashville Jewish Community Center in an incident linked with school segregation-desegregation. The capital city's school board got conflicting proposals on further steps in court-ordered desegregation and the board approved a year-at-a-time plan.

TEXAS — Thirty-five Texas colleges are desegregated in practice and eight others as a matter of policy, the first comprehensive statewide survey showed.

VIRGINIA — The state said it would not ask for a rehearing in the Prince Edward County case, denied review by the U. S. Supreme Court. The legislature completed action on new pro-segregation laws.

WEST VIRGINIA — NAACP attorneys may seek legal action to speed up desegregation in Cabell and Raleigh counties, where it is charged "progress" of desegregation is slow.

VIRGINIA ANSWERS INTEGRATION

Stubborn Hold-Out May Close Down Public Schools Rather Than Conform

1490

Defender

P. 11

Chicago

4-12-58

NASHVILLE, Tenn. — Southern School News reported here that public schools of Prince Edward County, Va., probably will be closed in September "if no legal means are found by the state to prevent desegregation."

This would be the first school-closing move in the South since the U. S. Supreme Court decision of 1954 against segregation. The publication's Virginia correspondent reported that "there is virtually unanimous agreement that the schools of Prince Edward will be closed under state law, and that white residents of the county will carry out their plan to operate a system of private schools for white children.

The county and the state of Virginia recently lost an appeal to the Supreme court and will not ask for a rehearing. Negro children predominate in Prince Edward, a "Southside" county near the North Carolina border.

Elsewhere on the school front, Southern School News reported further desegregation plans in Louisville, Ky., and Newark, Del. Pine Bluff, Ark., which two years ago scheduled desegregation for September 1958, announced it would delay its plans because of incidents at Little Rock.

The paper also reported two legal moves toward desegregation in the Deep South — the setting of trial of a Birmingham school entry suit for early in April and a decision to hear arguments early this month for a desegregation time limit in New Orleans.

A summary of major developments state-by-state follows:

ALABAMA — Alabama's pupil placement law, challenged by four Negro children who have sought to enter two all-white schools in Birmingham, will get its first legal test in federal court early this month.

ARKANSAS — Desegregation at Pine Bluff, scheduled for September 1958, will be postponed because of events in Little Rock. Gov. Orval Faubus filed as a condidate for a third term.

DELAWARE — A "Little Rock" school-closing bill was defeated for the third time in the legislature but kept alive by a parliamentary maneuver. Each vote has been closer. Racial and community relations betterment efforts were reported from several areas.

DISTRICT OF COLUMBIA — Carl F. Hansen, a leading administrative figure in Washington school desegregation, was named acting superintendent of the capital's school system.

FLORIDA — One witness stalked out and 15 were cited for contempt in a legislative probe of possible ties between integration leaders and communism.

GEORGIA — The county unit electoral system, long regarded as a segregation bulwark, was challenged by Atlanta Mayor William B. Hartsfield in a lawsuit. Effect of the system is to insure rural domination of the legislature.

KENTUCKY — Segregation-desegregation was not raised one way or the other in the biennial session of the legislature. Louisville is closing a Negro school this summer, at a sizable saving, and transferring pupils to mixed schools.

LOUISIANA —As Sen. William Rainach's committee prepared new pro-segregation bills for the May legislative sesson, the segregation leader said that the South would not only retain "racial separation" but would export the idea to "a very receptive North."

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Desegregation At Standstill

Courier

Pittsburgh, Pa.

Sat. 5-10-58

p. 4

NASHVILLE, Tenn.—Southern School News reported here that on the eve of the fourth anniversary of the U.S. Supreme Court decision against public school segregation, 764 school districts were desegregated and 2,125 bi-racial districts remained segregated — approximately the same figures as those of several months ago.

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764 Southern School Districts Desegregated, Survey Reveals

Daily World p. 1

14 90

NASHVILLE, Tenn. — Southern School News reported here Saturday that on the eve of the fourth anniversary of the U. S. Supreme Court decision against public school segregation, 764 school districts were desegregated and 2-125 bi-racial districts remained segreted—approximately the same figures as those of several months ago.

The publication said there had been no announcements of desegregation next fall by additional districts, though some now desegregated planned an expansion of their programs.

Atlanta Ga

In a special four-year survey Southern School News reported:

Desegregation has been completed in practice or in policy in all of West Virginia's districts, and about 80 per cent of Kentucky's Negro pupils were desegregated. On a bi-racial district basis, desegregation had begun or had been completed in 29 per cent of Deleware's districts, 70 per cent of Kentucky's, 91 per cent of Maryland's, 80 per cent of Oklahoma's and 17 per cent of Texas'.

Sun. 5-4-58

Seven states—Alabama, Florida, Georgia, Louisiana, Mississippi, South Carolina and Virginia—had mantained segregation at all public school levels. Some state colleges were desegregated in Louisiana and Virginia.

INTEGRATED SITUATIONS

At latest count, there were 1,952,761 white students in "integrated situations" along with 377,286 Negro students. (An "integrated situation" describes one in which pupils of both races are attending the same classes or are eligible to do so but for one reason or another may remain in separate schools.)

p. 7

Of these totals above, all but 78,842 of the white students and 27,349 of the Negro students are in the border states and the District of Columbia. Thus, outside the border states, about 4 per cent of whites and 4 per cent of Negroes are in "integrated situations."

Fifteen of 1,354 bi-racial school districts outside the border states have begun or completed the desegregation process since 1954. These districts are in Arkansas, North Carolina and Tennessee. Negroes in actual mixed classes in these districts number about 270.

1490

Legislatures in six states have provided by law for the abolition of public schools ordered by a count to desegregate. School-closing is mandatory in two of them. South Carolina and Virginia, which would cut off state funds. Alabama, Georgia and Mississippi have permissive school-closing laws, and in North Carolina schools may be closed on a local option basis.

Sun. 5-4-58

In these six states are enrolled 59 per cent of the white pupils and 69 per cent of the Negro pupils in the 10-state area of the Middle and Deep South.

Change Is Slight In Segregation

Report Says 2,125 Districts Have Separate Schools

764 ARE INTEGRATED

From The Commercial Appeal
Nashville Bureau

1400

NASHVILLE, May 4.—Desegregation has been completed in practice or in policy in all of West Virginia's districts and about 80 per cent of Kentucky's Negro pupils are desegregated, the Southern School News said Sunday.

On a bi-racial district basis, the News reported, desegregation has begun or has been completed in 29 per cent of Delaware's districts, 70 per cent of Kentucky's, 91 per cent of Maryland's, 80 per cent of Oklahoma's and 17 per cent of Texas'.

Same Figures

The News, official publication of the Southern Education Reporting Service, said 764 school districts were desegregated and 2,125 bi-racial districts remained segregated — approximately the same figures as those of several months ago.

Commercial

Appeal

In seven states—Alabama, Florida, Georgia, Louisiana, Mississippi, South Carolina and Virginia segregation has been maintained at all public school levels, but some state colleges in Louisiana and Virginia have been desegregated.

Mon. 5/5/58

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Memphis Tenn.

April Summary

Here is a summary of the major state-by-state developments during April as reported by the News:

ALABAMA — A three-judge Federal court heard arguments in Alabama's first public school entry suit since 1954. At issue was the constitutionality of the state's 1955 pupil placement law.

ARKANSAS—Gov. Orval Faubus lost an appeal (to the Eighth United States Circuit Court in St. Louis) from an injunction against his use of National Guard troops at Little Rock. He said he would carry the case to the United States Supreme Court. A Little Rock businessman introduced a plan to place segregation-desegregation on a voluntary basis, outside the courts. Meanwhile, a chancery judge entered the Democratic gubernatorial primary against Gov. Faubus.

DISTRICT OF COLUMBIA — Sweeping changes in the curriculum of Washington's schools were announced for next fall as a part of an effort to deal with "disparities" in educational achievement disclosed by desegregation.

FLORIDA—Three legal challenges to school segregation, one at the college level and two in the public schools, moved toward decision. At Jacksonville, a Jewish community center and a Negro school were bombed and Jewish leaders received mysterious telephone calls that "all integration" would be stopped.

GEORGIA—Pre-trial maneuvering began in the Atlanta school entry suit, first of its kind in the state.

KENTUCKY — Citizens Council charges of "crime and official misconduct" in Louisville schools were rejected by the Jefferson County grand jury, which commended board of education policies.

LOUISIANA—New litigation began in the New Orleans desegregation suit, with the school board filing a motion to dismiss and Negro plaintiffs requesting a permanent injunction against segregation. The state PTA adopted a resolution favoring "retention of segregation in public schools."

MISSISSIPPI—The legislature adjourned after passage of a number of new pro-segregation laws, some of which were vetoed by Gov. J. P. Coleman. One bill awaiting gubernatorial action gives the governor or trustees authority to close a school threatened with desegregation.

MISSOURI—Members of the newly-established Missouri Commission on Human Rights were sworn into office. They planned their first meeting for June.

SOUTH CAROLINA—The legislature adjourned after barely touching on the school segregation-desegregation issue. One new law gives the attorney general power to investigate the records of non-profit corporations.

TENNESSEE — Nashville's year-at-a-time school desegregation plan was presented to Federal Court, which heard arguments pro and con on the grade-by-grade approach.

TEXAS—An "all deliberate speed" desegregation order was entered in the Dallas school case. Three hundred white Protestant ministers of Greater Dallas signed a statement calling enforced segregation "morally and spiritually wrong."

VIRGINIA—The state appealed the Arlington County desegregation order to the United States Supreme Court, contending a lower court discriminated against white children.

WEST VIRGINIA—The first court action since 1954 seeking to force desegregation of teachers was filed in Federal Court in Huntington by a Negro plaintiff.

14d(1) 1958 SOUTHERN SCHOOL NEWS

Survey shows—

Southern border states still balk at school integration

NASHVILLE, Tenn., June 7—Litigation reclaimed the spotlight in nine Southern and border states as the fourth scholastic year since the school segregation decisions drew to a close, Southern School News reported here today.

Federal courts handed down decisions in 11 school entry cases in Alabama, Delaware, Louisiana and Virginia, and in a related case in Texas. Way was cleared for further legal action in six cases in five other states.

News

P 13 A

ACCORDING TO Southern School News no new desegregation was reported as schools closed for the 1957-58 year. However, it was learned that Negro children had been readmitted at mid-term to desegregated schools in Ozark, Ark., from which they had withdrawn last Fall.

This left the year-end tally of segregated and desegregated school districts as it has been for the past four months, with no new desegregation reported since November. The count now stands at:

Desegregated districts: 764 of 2889 bi-racial districts, all but 15 of them in the border states.

Segregated districts: 2125, including all school districts in Virginia, South Carolina, Georgia, Florida, Mississippi, Alabama and Louisiana.

Expanded desegregation programs for next Fall were announced by three districts in Maryland and Kentucky, while two "Little Dixie" districts in Oklahoma reported they would shoulder the burden of maintaining segregated schools under the state's financial aid policy for at least another year.

Birmingham

Ala

DELAWARE was at the center of the legal spotlight. Sitting at Philadelphia, the U. S. Third Circuit Court ordered the state board of education to formulate a desegregation program for the entire state. This was the first such action by a court involving any of the 17 states affected by the 1954 decision in Brown vs. the Board of Education. But it was an order with which the Delaware board moved promptly to comply.

The segregation-desegregation issue moved toward a legal showdown in Virginia with the U. S. Supreme Court upholding court orders for desegregation next Fall in the schools of Charlottesville and Arlington County. Segregationists laid plans for organizing private schools for white children and for retaliatory moves to close Negro public schools (by presenting white pupils for enrollment at Negro schools, thus invoking state school-closing laws on them also). Opponents of such moves talked of court action and taxpayers' boycotts.

Further litigation in Dallas Texas, following federal court refusal to test a state law, made unlikely there the desegregation some had anticipated.

A summary of major developments state-by-state follows:

Jun. 6-8-58

ALABAMA

IN RULING on Alabama's first public school entry suit (at Birmingham) a three-judge federal court held that the state's pupil placement law was not unconstitutional "on its face" but allowed for the possibility that it might be found "unconstitutional in its application."

ARKANSAS

THE FIRST NEGRO student graduated from troop-guarded Little Rock Central High School at ceremonies which were conducted without major incident. Meanwhile, the school board asked for a delay until January, 1961, in the resumption of integration. Ozark was disclosed to have readmitted Negro children at mid-term.

DELAWARE

THE STATE BOARD of education proceeded with a statewide desegregation plan without waiting for a specific time order after a Circuit Court directed it to formulate such a plan. However, delays were expected.

DISTRICT OF COLUMBIA

AT A PRESS conference in Washington President Eisenhower declined to say what would be the government's role in the Virgina school controversy, but emphasized that federal court orders must be obeyed.

FLORIDA

SOUTHERN MAYORS meeting at Jacksonville set up a central police intelligence agency to combat religious and racial bombings. Gov. LeRoy Collins proposed federal-state commissions to decide the "wheres, whens and hows" of school integration in the light of local conditions.

GEORGIA

Way was cleared for trial of Georgia's first school entry suit (in Atlanta) but it was expected that the case would not be heard until next year.

KENTUCKY

TWO KENTUCKY districts announced extension of present integration programs next September and a third shifted district lines affecting the racial composition of a junior high school.

LOUISIANA

In Washington the U. S. Supreme Court held that the preliminary injunction against segregation in the New Orleans school case should not be overthrown on a technicality, and a lower federal court heard a new plea from the school board for dismissal based on the argument that the state, not the board, is the proper defendant in the case.

MARYLAND

Washington County announced a third step in its desegregation program, effective next Fall, while in Baltimore a study showed 600 Negro teachers had been integrated.

MISSISSIPPI

Prof Clennon King, ousted from the faculty of Alcorn A&M (Negro) College in a controversy over anti-NAACP articles he had written, applied for admission to the all-white University of Mississippi.

While attempting to register Thursday he was told by the dean of the school the situation (his registering) was almost hopeless. He was whisked away from the institution by Mississippi Highway patrolmen.

Lodged in a jail in Jackson, he was served with a lunacy warrant and faces an examination in Whitfield Insane Asylum.

He had previously said if the school would not admit him he wanted the country to pay his fare to Africa.

A fund toward this end was started by Tupelo residents.

MISSOURI

SCHOOL ADMINISTRATORS estimated 95 per cent of the state's Negro school children are enrolled in districts which are desegregated at some level.

NORTH CAROLINA

TWO NEGRO MOTHERS in Durham filed suit for entry of their children in all-white schools in another attack on the state's pupil placement law.

OKLAHOMA

TWO "LITTLE DIXIE" districts faced loss of state financing for segregated schools. One indicated it would bear the extra burden itself and the other said it could not afford to operate separate schools longer than one more year.

SOUTH CAROLINA

SEGREGATION remained an issue as political candidates campaigned for nomination (equivalent to election) in the June 10 Democratic primary. Six faculty members at two Negro colleges were dismissed or released in a controversy growing out of charges of Communist affiliations or sympathies.

TENNESSEE

A FEDERAL COURT decision was awaited in the Nashville grade-at-a-time school desegregation case after both sides in the lawsuit had filed briefs.

TEXAS

DELAY OF AT LEAST a year was expected in Dallas school desegregation when the way was opened for new litigation after a federal court refused a test of a new state law.

VIRGINIA

NEGRO CHILDREN seeking entry to all-white schools in Charlottesville and Arlington County won court victories, increasing the possibility that some schools may be closed next Fall in Virginia. Segregationists began organizing plans for private schools in several parts of the state.

WEST VIRGINIA

PUBLIC SCHOOLS ended the improve, Alabama's public schools and colleges face a possible $10 million deficit this year, state school Supt. Dr. A. R. Meadows said Saturday.

Payments to the Alabama special educational trust fund will be prorated 9 per cent

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Legal Battles Rage In South

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Defender

P. 1

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Sat. 6-21-58

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Defender

6-21-58

14d 4

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WEST VIRGINIA

Public schools ended the fourth year in a climate of desegregation without maor incident and with two educators commending the results. In one county five schools were burned in acts of arson which some attributed to racial feeling.

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777 school areas in Dixie now integrated

Afro American

8-30-58

p12

Baltimore

NASHVILLE, Tenn. — The desegregatin of seven school districts in Oklahoma, upping the total of integrated districts to 777, represents all the new desegregation that has occured over the past two years.

Texas, Maryland and Delaware, according to Southern school News dispatches, are planning to extend current desegregation programs.

In other legal activities centering on school front developments, Federal district court decisions have been rendered in Arkansas and Virginia school cases.

There are more than 2,000 school districts that have not yet started integration over the nation. Other major developments of states in the school battle follow:

ALABAMA

An appeal from a three-judge Federal court decision that the state's Pupil Placement Law is not unconstitutional, is pending action of the U.S. Supreme Court.

The original suit, challenging Alabama's school segregation laws, became the first serious test of the placement act.

The three judge panel ruled in Birmingham last May 9 that the state's Pupil Placement Law was not unconstitutional "on its face." Attorneys for four colored children seeking admission to two white schools had asked that the law be invalidated.

The court refused to declare the law unconstitutional on the face of it and the plaintiffs appealed to the high court.

ARKANSAS

The U.S. Eighth Circuit Court of Appeals at St. Louis threw out a ruling of Federal District Judge Harry Lemley to suspend integration at Central High School in Little Rock for two-and-one-half years.

In overruling Judge Lemly's decree, the appeals court granted the Little Rock school board a 30-day stay of the orler for an appeal to the U.S. Supreme Court.

Elsewhere in Arkansas, Rep. Brooks Hays won in the Fifth Congressional District political race over Amis Guthridge and Orval Faubus was reelected governor for the third time.

DELAWARE

The Delaware Board of Education was granted time to appeal to the U.S. Supreme Court a directive to formulate a desegregation plan by a lower court.

The state board of education objects to making a plan for desegregation, but was ordered by the Third Circuit Court of Appeals to file a petition for a writ of certiorari this month.

FLORIDA

* * *

No racial incidents have been predicted in light of the University of Florida's action in making ready to receive its first colored student, Virgil Hawkins, this fall.

A Federal court order in favor of Hawkins. ending his nine-year-fight to enter the law school, will precipitate no violence, school officials have predicted. Applications from several colored students are expected.

MARYLAND

* * *

The Desegregation of teachers in Baltimore County, with white classes being moved into a formerly all - colored high school, will be part of the integration events this fall in Maryland.

Both Democratic and Republican party platforms have called upon all state counties to comply with the U.S. Supreme Court desegregation decision.

Four Maryland counties last year had a few colored teachers assigned to white schools and mixel classes. Pupil integration, already in effect, is under plans of being extended.

NORTH CAROLINA

* * *

Moves to effect the "Pearsall Plan" were taken by white parents in Charlotte to avoid desegregation.

In Federal court, a test case of segregation laws was brought by Hiram Holt Jr., 15-year-old youth seeking admittance to the only all-white senior high school in Raleigh.

The Pearsall Plan places administrative rulings in the hands of local school boards.

OKLAHOMA

* * *

This state is reported to have desegregated seven school districts during the past two years. bringing the total number of integrated state districts to 229, and upping the overall number to 777.

Meanwhile, the state's only colored college, Langston University, has been assured of its continued operations by correspondence from school authorities that no changes are planned in the school's functions.

TENNESSEE

An undisclosed number of colored applicants who have passed pre-entrance examinations will be the first of their race to enter Memphis State University for study this fall, the school president has announced.

Meanwhile the City Board of Education at Chattanooga has been asked for "positive action" leading toward school integration. An earlier request for integration was denied by the school board.

President J. M. Smith of Memphis State Univeersity said colored applicants has passed newly prescribed tests in July and that "it is my guess they will be admitted this fall."

TEXAS

No new desegregation has been planned for Texas, but several school districts have announcel plans to extend currently integrated facilities. At Austin, another grade level will be desegregated this fall. It is the ninth grade.

The 10th through 12th grades have been integrated since 1955 in the city's public schools.

VIRGINIA

A showdown, pitting the Federal Government against Virginia's "massive resistance" program, is anticipated in September as 244 applications from colored children in five counties were filed for admittance to white schools.

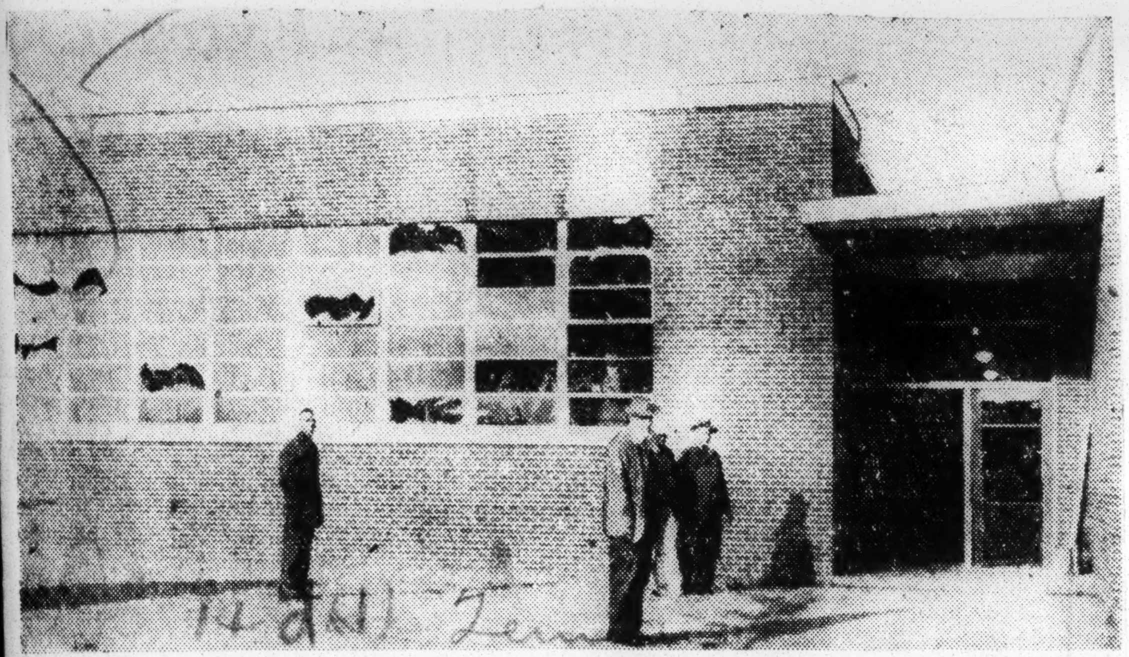
Unler Federal court orders to desegregate are Charlottesville, Norfolk and Arlington. For the first time since the Supreme Court desegregation decision, colored children have also filed for admission to white schools in Richmond.

Gov. J. Lindsay Almond has said schools will not open if Federal courts order integration. In Charlottesville and Arlington, segregationists have drafted plans to operate private schools in the event public schools are closed.

Under Virginia law, public schools would automatically be closed if integration is effected.

14d(1) 1958

TENNESSEE



14d(1) Tenn

Chattanooga Negro School Target of Dynamiters

P.A10 Post & Times Herald Washington D.C

Sun 1-19-58

The all-Negro Howard School at Chattanooga, Tenn., was rocked early Sunday by an explosion, apparently of dynamite. Damage estimated at $1000 was done to the elementary division. The school has about 3000 pupils. Story, Page A1.

~~Bomb Blasts~~

Advertiser

Negro School

Montgomery Ala

CHATTANOOGA, Tenn., Jan. 19 (AP)—An explosion said by police to have been caused by a home-made bomb was set off early today near the back door of Howard School, a $2,800,000 Negro school of more than 3,000 pupils.

The blast blew out two doors to the school's elementary division, shattered 23 windows, cracked plaster walls and ceilings in a hallway and chapel, loosened a steam radiator and damaged other doors and door frames, according to Police Chief E. H. Brown. No injuries were reported.

Mon 1-20-58

Brown said it was possible the bomb was constructed by placing dynamite inside a piece of metal pipe. He said many metal splinters were recovered at the scene.

The school's maintenance department set damage at about $1,000.

P. 1A

Principal C. C. Bond said school would resume as scheduled Tuesday.

The explosion was the latest in a series of incidents of violence in Negro-populated sections in Chattanooga and Hamilton County.

Lawyer Seeks To Reopen School Case

SEVIERVILLE, Tenn., Jan. 29 (AP)—Attorney Hansel Profitt said today he has asked the U.S. Supreme Court to reopen the case which resulted in its ban on public school segregation. He said he acted "for all the white children in the United States."

News & Courier

Profitt, one of several lawyers who defended Tennessee defendants in last summer's Clinton integration trials, said he has petitioned the high court to reopen the case of Brown vs. Board of Education of Topeka, Kan.

P. 4-A

Thu 1-30-58

This is one of the cases in which the Supreme Court ruled in 1954 that segregation in public schools violates the 14th Amendment to the Constitution.

Charleston S.C.

Profitt's petition said among other things:

"It is alleged that this amendment (14th) was never legally ratified or legally proclaimed as part of the U.S. Constitution. All white children under 21 years of age should have a right to have their rights adjudged at the present time because any statute of limitations could not affect their rights."

Ordinarily, Profitt said, the courts won't let a case be reopened more than six months after a final decision.

Red Book Article Runs Feature Story On Nashville Integration Crisis

State P.1

Trying ordeals experienced by Negro families who attempted to enroll their children in the previously all-white schools at the beginning of the current school year are brought vividly to light in a feature article by Carl T. Rowan in the February issue of REDBOOK magazine.

Nashville Tenn

The article tells of threats and intimidations as told to the author by some of the Negro families; of the restless nights they spent during the crisis, and of the 2 get tough" attitude of the mayor and the police department after the bombing of Hattie Cotten School.

The article tells also of a group of Negro youths from a slum district which volunteered to protect one of the harassed families. In contrast, the article tells of the lack of encouragement from Negro professional people.

Fri 2-7-58

The mother of one of the "line-crossing" children, according to article, said that she and her husband withdrew their child and requested a transfer to an all-Negro school following the bombing of Hattie Cotten. She and her husband had done this, she said, "to preserve the emotional stability and domestic tranquility of child and family." The mother said that she called her child's teacher and asked her to give her son's school supplies to "one of the needy white children."

It was after they had withdrawn their child that "Negro professional people replaced the segregationalists" on their phone and asked. Honey, couldn't you hold out just a little longer?" the article quotes the mother as saying. Quoting the mother further, the article said:

State P.4

"I don't remember your calling me and offering to come by here and help stand guard. There were thugs volunteering to guard some Negroes, but not a single doctor or dentist or professional man, not a teacher from Fisk or Meharry or Tennessee State offered us any help during the crisis. I suppose they were afraid someone would bomb their $30,000 homes."

One of the parents, the article said, was unable to work on the three trying days, while his wife lost 10 pounds, and that he still hated "to hear a telephone ring."

This parent was evidently speaking the sentiment of nine other families who dared to "cross the line" when he observed:

"Next year, maybe we'll have some company."

Judge Rejects Nashville Pupil Assignment Plan

NASHVILLE, Feb. 18 (AP)—District Federal Judge William E. Miller rejected today a pupil assignment plan for Nashville city schools and gave the school board until April 1 to come up with another plan for gradual desegregation.

Post Herald P.1

Under the pupil assignment plan, parents so desiring could send their children to an all-white school, an all-Negro school or to an integrated school.

Nashville started gradual desegregation last September under orders from Miller.

First integrated classes were started in some of the first grades. About 12 Negro children enrolled for mixed classes at the start of the Fall term.

Violence erupted the first few days, resulting in the dynamiting of one school and the arrest of several persons on charges of violating the court's injunction against interference with orderly integration.

Wed 2-19-58

Attorneys for several Negro parents are seeking full integration of city schools. Attorneys for the school board argued that the court already has accomplished the purpose of the lawsuit by ruling out racial discrimination.

Birmingham Ala

Miller said today that the pupil assignment plan "does not offer in any realistic sense an alternative or choice to the members of the minority race."

Nashville Desegregation May Be Pattern For Dixie

School Board Reluctant Partner As U.S. Judge Rules Gradual Mixing

1440

Appeal P. 9

Sun. 2-23-58

Memphis, Tenn.

By JAMES EWING

NASHVILLE, Feb. 22.—With the Nashville School Board acting as a reluctant partner, it now appears that the pattern for school desegregation in the South is being established here.

Two major components of the pattern—zoning and transfers—were already in force as a result of earlier decisions by United States District Judge William E. Miller.

Judge Miller's decision this week set the groundwork for the third one — a system of gradual desegregation that will in all probability be a stairstep arrangement.

Mr. Ewing

The only question remaining for the Nashville Board is whether the judge will accept one grade at a time or will insist on two or more.

In rejecting proposals for using Tennessee's Pupil Placement Law and another "voluntary" integration plan based on the preference of children's parents, Judge Miller let it be known he was beginning to tire of the delaying tactics which the board has followed since the suit was filed Sept. 23, 1955.

Was No Surprise

The judge didn't rule the Pupil Placement Law unconstitutional. He just let it be known that as far as the Nashville case is concerned it could not be used.

This came as no surprise to attorneys for the board or for the plaintiffs. It was only last month that the board decided to try to use the plan and then only at the instance of persons primarily interested in delay.

It was generally accepted during the Legislature last year that the Pupil Placement Act, like the other bills proposed in Gov. Frank Clement's five-bill package were not the final answer to the desegregation problem.

As one legislator remarked they were "pretty good medicine if you aren't real sick." No one attempted to say that any of them provided a sufficient remedy for such places as Clinton and Nashville, where Federal Court suits were already in force.

By the same token, there are some who feel that if a pupil placement system were put into effect before and not after a Federal suit is filed it might fare better in the courts.

There is also some sentiment for a small amount of desegregation on a voluntary basis as the best preventative to court-ordered and complete desegregation.

The Nashville Pattern

Human nature and public sentiment being what they are, however, it is doubtful if any school board in the state is going to try it without some prodding.

Here, briefly, is the Nashville pattern for desegregation which has been accepted in Federal court:

1. Desegregation of the first grade effective with the current school year with a further desegregation proposal to be offered later. In his latest decree, Judge Miller set April 7 as the deadline for the further proposal.

2. A re-zoning plan under which each student, regardless of race, was assigned to the school nearest him. This applied only to first graders this year but would probably apply to other grades as they are desegregated.

Transfer Plan

3. A transfer plan under which any child will be transferred, on request, if all or the majority of the other children in the school to which he was assigned are of the opposite race.

Use of the re-zoning and transfer plans by the Nashville Board reduced the number of Negro children who were elegible to attend white schools to a fraction of the total.

In all city schools this year, 17,046 white students and 10,659 Negroes were enrolled for a total of 27,705.

Of 3,367 first graders about 1,400 were Negroes. Under the zoning plan, 55 white children would have attended Negro schools and 115 Negroes would have attended white schools.

All But 10

All the 55 white children requested and were granted transfers to white schools and 105 of the 115 Negroes requested and were granted transfers to all-Negro schools.

One of the 10 Negroes who did not seek transfers dropped out later because of "immaturity," leaving nine of 1,435 Negro first graders attending white schools.

Assuming the stairstep plan is extended to include one or more grades at a time beginning next fall, the zoning and transfer plans would prevail for those grades as they have for the first grade.

'Voluntary' Integration Ruled Out

1440

Times Herald

P. C-15

Tues. 2-18-58

Washington, D.C.

NASHVILLLE, Tenn., Feb. 18 (UP)—Federal Court tossed out yesterday a "voluntary integration" plan submitted by the city school board and gave the board until April 7 to come up with a new plan for complete desegregation.

The plan would have set up a three-school system — all white, all Negro and an integrated school for "those parents who prefer integration."

Judge William E. Miller also said the Negro plaintiffs could not get relief under the state pupil placement law passed last year. He did not rule on the law but said that the school board "appeared to be committed to a policy of segregation."

Nashville integrated the first grade last year amid violence, including the bombing of one elementary school.

The three-school plan was suggested to the school board by the Parents Preference Committe after a similar, two-school plan had been tossed out by the court. The second plan purported to be different in that there would have been an integrated school, but Miller ruled otherwise.

The judge's ruling was the latest development in a desegregation suit filed in September, 1955.

IN NASHVILLE SCHOOLS:

Pupil Law, Optional Separation Blocked

Afro-American

Baltimore, Md.

Sat. 3-1-58

1440

P. 9

NASHVILLE, Tenn. — "Discrimination would not be removed simply by providing a third school or group of schools which could be attended by members of both the white and colored races.

"The board's proposal does not offer in any realistic sense an alternative or choice to the members of the minority race" and the parents' preference plan "wholly fails to meet the test of constitutionality."

Thus spoke District Court Judge William E. Miller last week as he rejected in Federal court a state pupil assignment law and a parents' preference plan offered by the local school board for desegregating this city's schools.

* * *

AFTER rejecting the double-barreled proposal, Judge Miller directed the board of education to present to him an acceptable plan by April 7. Token integration came about a year ago when Judge Miller ordered integration to begin with the 1957 fall term.

While lawyers for the colored parents are asking full integration of the city schools, school board attorneys argued that the court had already accomplished that purpose by ruling racial discrimination illegal.

* * *

SCHOOL BOARD lawyers proposed use of the state's pupil assignment law, under which pupils could seek transfers individually, or the parents' preference plan permitting parents to send their children to all colored, all white or to integrated schools.

The first integrated classes opened here in some of the first grades when 12 colored children enrolled for the 1957 fall term. Violence erupted the first few days, resulting in the dynamiting of one school, but the situation was soon brought under control.

The jurist not only refused to dismiss a desegregation lawsuit filed by a group of Negro parents, but also declined to allow the school board to operate under the preference plan, which "does not prevent racial discrimination."

Ask Nashville Plan To End School Bias

Defender

Chicago, Ill.

Sat. 3-1-58

1440

P. 12

NASHVILLE, Tenn. — (INS) — The Nashville school board has been ordered to submit a new plan in April for bringing about an end to racial segregation.

Federal Dist. Judge William E. Miller Wednesday rejected the city board's proposals it be permitted to operate under the state's new pupil assignment law, or adopt a parents' preference plan for school enrollment.

Elmer Petit, head of the boar's instructional committee, said the group would meet "immediately" and will have another plan ready for submission to Judge Miller April 7.

De-segregation of the first grade was carried out in some Nashville schools last September, accompanied by several days of violence which officials blamed on "outside agitators."

Judge Miller set a hearing on the board's new proposals — ordered when Negro parents asked for acceleration in the "gradual" plan — for April 14.

INTEGRATION REPLY SET

School Board To Answer Negroes By July 9

Commercial Appeal

Memphis, Tenn.

Fri. 6-13-58

1440

P. 2

CHATTANOOGA, June 12 — (UPI)—The City School Board will answer a group requesting school integration on or before July 9, the date of the board's next scheduled meeting.

The request came from the Citizens for General Improvement organization and asked the board to integrate the city's school on or before Aug. 25, start of the 1958 term. The organization's effort is the first organized attempt to integrate Chattanooga schools.

The request was presented to the board Wednesday night by Douglas Carter, unsuccessful candidate for city commissioner in 1955. Carter, a Negro, said his group had 20 to 25 members.

14d(1) 1958

Desegregation Here May Require 12 Yrs. Stretch To Complete

School Board May Have Forced Judge Miller To Make Reversable Decision; Attorney C. L. Ennix Was Opposed To The Last; Attorney Z. Alexander Looby Says Nothing About Lower Court Decision, But May Sponsor An Appeal

Globe p.1

Nashville Tenn

5-27-58

The Nashville City Board of Education, which had from May 17, 1954 until 1957 to make up its mind to obey the Supreme Court edict to abandon segregated schools and to do so regardless of what were any of the members of the board's personal preferences in the matter, did only one thing in that time.

And so last week when the board got the approval of Federel Judge Miller to continue desegregating, but only to do so at the rate of one grade a year. That is now being referred to as work of operators who will employ a policy of "Deliberate SLOW DOWN," as to desegregation.

There are some here who are saying that the Supreme Court left a loophole in its May 17, 7954 decision, and that Judge Miller had full authority to honor the school board's petition to proceed with desegregatioin at the slowest rate of speed.

Judge Miller's previous decisions here have been applauded, as he has fairly laid down the law seeking to establish a system of non-discriminating schools. But the judge has been greatly harassed, as well as compelled to take thought of how district Federal Courts elsewhere have handled the desegregation matter.

When he approved the "first bite" at desegregation more than a year ago, he respected the decision of the board to desegregate only the little children of the first grade. But at the very same time, Judge Miller cautioned the board to prepare and submit to him its plan for desegregation of all other grades from the Second to the TWELFTH. That is why there has been little approval and much derision cast upon the board for what it came up with as its answer to Judge Miller's order that the board turn in its decision covering all of the other grades in the city school system.

Apparently Judge Miller has become reconciled to a possible reversal because the way he has talked and acted about desegregation since he first began dealing with the pestiferous problem in Nashville he has been disposed to 'hew to the line and let the chips fall where they would."

In colored circles there is no disposition to be harsh in criticising Judge Miller.

A very recent resident of Nashville, he may be of the opinion that sticking to a course that is reasonable could cause terrible "dislocations" in this city. He certainly had good reason to respect Supt. Oliver's opinion of how long it would take to fully desegregate the Nashvills schools.

But Judge Miller could not avoid having some respect, also, for the opinion of the lone dissenting trustee on the school board—that is Attorney Coyness L. Ennix, college graduate and able attorney, and a Negro.

Without saying so, Mr. Ennix nevertheless knows that had the desegregation problem in Nashville been one which affected the rights of white pupils only the board never would have arrived at a ridiculous solution to it.

Being a good board member, Mr Ennix has merely gone along with the majority of the board and their attorneys in appealing to Judge

TENNESSEE

Miller for his unusual decision, which very likely will get a reversal when it reaches the Supreme Court, if the aggrieved parties carry it there.

It was noted this week that Attorney Z. Alexander Looby, who has battled segregationists with tremendous success on several fronts had nothing to say about Judge Miller's latest decision. But it is fair to predict that the able Civil Rights Attorney is likely to find out in Washington how The Supreme Court reacts to the "With All Deliberate SLOW DOWN" treatment the Nashville School Board has interpreted what the Supreme Court means by "With All Deliberate Speed."

Globe

Ja 6-27-58

He evidently will say that Judge Miller's decision is not sound. It is only a little different to what one would expect from a State Court in Mississippi.. That state it is said has made no effort at all to respect the law of the land as laid down by the Supreme Court. Neither has Tennessee a sa whole.

But in Nashville the arrangement is to be one which promises to complete desegregation in the city school in a bout eleven years from now, unless the aggrieved persons convince the Supreme Court that the School Board is experimenting with a systm of Deliberate Slow Down, instead of Deliberate Speed which the courts by a unanimous decision has said must be adopted.

Colored Southerners including citizens of Nashville are not in doubt about what ails the majority of our administraters of the law. They do not think that even the Supreme Court of the United States ought to meddle into their affairs even when they are running affairs in a way that disgraces their country in the eyes of all the really civilized people of the world.

But Situation In Nashville Has Its Redeeming Points

Pupils And Parents Here Slow In Saying, "All Is Well," Unless Their Teachers Are Accepted On A Fair And Square Basis; Same Trouble Arouses Protests In Louisville, Where Negro Board Of Education Member Is Elected

State

Nashville Tenn.

11-21-58

p.1

When one of those inquisitive lawyers at the courthouse tried to pin one of his character witnesses down so she would give him a favorable answer he didn't get much to go on.

He asked Aunt Jane to testify as to the reputation of Mary for truth and veracity.

Aunt Jane said: "As for Mary's reputation for telling the truth that is very good, but as to her veracity, some say one thing and some say another."

It seems to be that way among a majority of colored parents, pupils and teachers with regard to the evident deliberate "slow-down" in school integration.

For reasons which seemed good to him this District Federal Judge William E. Miller gave the Nashville School Board what it asked for in his most recent decision. He postponed the full measure of integration for a long stretch of eleven years.

But some say "uneasy rests the head which wears a crown" can be believed to be affecting Judge Miller at this time, when the appeal from his decision is on its way up to the Circuit Federal Court and possibly to the U. S. Supreme Court, for another one of its plain interpretations of what it meant when it first called for settling the desegregation question with "all deliberate speed."

SEPTEMBER WARNING

Some say that what the Supreme Court said last September 29, in the case from Little Rock, just about pulled the rug from under and all who thought they could introduce the facts of local unrest over desegregation and proceed to cut the puppy's tail off a little at a time so it wouldn't hurt it as much as cutting it all off all at once.

Negro parents and teachers have been as patient as Job in obeying what is the "law of the land" with regard to what it says about equality of opportunity" in education down through the years, beginning away back in 1896. Then that law of the land specified that "equality could be vouchsafed to one and all if facilities were made equal, even if schools were made separate as to race and color. Negroes everywhere accepted that decision by the Supreme Court, although it was not unanimous.

Negroes here and elsewhere say that if the Supreme Court of 1954 had said that the principle of desegregation must be carried out in the future, but if just on Justice had demurred, that one dissent would have been shouted from the housetops by bigots in general all over the country.

They say had the dissent been by Justice Hugo Black of Alabama he would have been in demand through out the South for speeches before all bigoted groups.

As it is now the only notable in law likely to be invited down South to expound the righteousness on the 14th Amendment is likely to be Judge William E. Miller of Nashville. They say he didn't come right out in the meeting this last time and decide to tell the truth and "shame the devil."

But they say there are some Southern Judges occasionally render decisions just to satisfy local sentiment, knowing said decision is

Tri 11-21-58

sure to be overruled in the higher courts, and especially in the Supreme court of the United States.

HAS RIGHT TO WORRY

But Judge Miller, they say, can rely upon the very favorable opinion his previous decision on the Nashville case has had in his community and may attract the belief that conditions were just as bad in Nashville for desegregation as John Kasper had tried to make them.

What effect the last decision handed down by Judge Miller may have on desegregation in the Second Grade, parents and pupils, who in connection with First Graders were given the right to enter white schools in September, is not known. But according to Superitendent Oliver's office the enrollment figures for September were as follows:

1440

FIRST GRADE 21.

SECOND GRADE 14.

Thus it appears that after all of the ado about "integration" only a small fraction of Negro children have undertaken to enter white schools this year, and there was no effort made to molest any who did enter.

It was like the time when scared depositors made the "run" on the Citizens Bank. When they found out that they could get their money out right now and could see big piles of it, they said, "Aw never mind, you all just keep it in there."

There is an important missing link in this integration arrangement, anyway. It has been discovered in Louisville, Ky., It is one which alerts the large number of Negro school teachers here as it does alert them in the Falls City.

TEACHERS LOSE OUT

They are affected as is statd in the headlines and news article appearing in the latest issue of the Louisville Defender. The headlines state: "INTEGRATION INCREASES IN KY. SCHOOLS: FACULTY PICTURE NOT SO BRIGHT."

The article shows that in the 1955 1956 school year TWO integrated Negro teachers there were 133 integrated in 1956-57; while in the school year 1958-59, there were 172 but in 1958-59 school year there are 138—meaning that 36 Negro teachers were eliminated in the integrated schools of Kentucky, while during this school year there has been an increase of white teachers from 5,475 to 5,915 or a total of 440 white teachers.

It is from persons who are indifferent as to the fate of the Negro teacher that one hears no protest in their favor and security. But the Louisville Defender saw this matter clearly and is putting the heat on its Supt. Carmichael, who has been bragging about how successful he is in making desegregation work. He has been making it "work on" the Negro teachers of Louisville.

There has been little integration of Negro pupils in Nashville but at the same time, thanks to Mayor Ben West and his educational authorities, there has been no displacement of competent Negro teachers in order to "make integration work."

PUPILS DON'T LIKE IT

Even Negro pupils seem to have caught on to the elimination "racket" and are waiting to see when they will begin integratng Negro teachers at the white schools along with the itegration of Negro pupils.

This "consummation devoutly to be wished" appears to be based upon the acknowledgment that Negro teachers are continually preparing themselves to be first clas teachers, and capable of teachin classes in which both Negro an white pupils are enrolled.

This Supt. Carmichael in Louisville is not only from Alabama, b acts like a native of that state. H has sounded off in words of critic ism of Negro teachers and ha Louisville citizens down on hin They and their friends appear t have taken at least one step getting rid of Carmichael in th November election. They electe Mr. Woodford Porter a member the Louisville School Board.

NEGRO BOARD MEMBER

Porter was a more forceful can didate than several of the whit candidates who did not get electe Porter was able to garner mor than two thirds of this strengt from whate voters who rated hi better qualified for the school boar

School board members ar ELECTED in Louisville. They ar appointed in Nashville. Thanks t the fairmindedness of Mayor Be West, Nashvillians can point wit pride to having Attorney Coynes L. Ennix on the local Board of Education. He is recognized as a powerfully good man. He "escaped" fron Alabama a number of years ag and shows no inclination at all to g back down there to stay.

He says since Justice Hugo Black has come Up North to stay he Ennix is going to do likewise.

14d(1) 1958 TENNESSEE

CIVIL RIGHTS COMMISSION TO HOLD NATIONAL MEETING WITH OFFICIALS OF SCHOOLS

Nashville Meet To Thrash Out Integration Problems

Atlanta World

By PATRICIA WIGGINS

WASHINGTON — (UPI) — The Civil Rights Commission announced Wednesday that it will hold a national conference of public school officials at Nashville, Tenn., in February to thrash out problems involved in shifting from segregated to integrated schools.

Chairman John A. Hannah said local school officials and interested persons would be asked for "all the available information about the problems involved." Most of those attending will be from southern and border states but others will be invited.

Atlanta, Ga.

The commission also announced after a closed-door meeting that it was investigating charges that some Spanish-speaking residents of New York, presumably Puerto Ricans, were being denied the right to vote because they could not read or speak English. It said it also was looking into alleged housing discrimination in New York.

MONTGOMERY HEARINGS PUBLIC

In a further development, the commission said its scheduled hearing into alleged violation of voting rights among Montgomery, Ala., Negroes would be open to the public.

It said election officials in charge of voting records will be among witnesses subpenaed for the Dec. hearing. They will be asked to bring "pertinent" records. However, the commission's executive director, Gordon Tiffany, said there is "no reason whatsoever" to furnish records for the commission.

The commission was established under the civil rights law passed by Congress last year. It is authorized to investigate alleged violations of minority voting rights, to study other civil rights abuses, and to make recommendations to Congress and the President.

CITY FOUND SUITABLE

Hannah said Nashville was not chosen as the site for the national integration conference because of recent bombings in Tennessee. Rather, he said, the city was considered to be a central point which would "lend itself suitably to such a conference."

Hannah said one of the main purposes of the conference would be to bring together people dealing with desegregation so they can discuss their problems.

As for the scheduled Montgomery, Ala., hearing, Tiffany said that complaints received from outside of Macon County may be included. He said more than 20 witnesses are expected to be heard at the hearing, which may last two days.

The Montgomery hearing will be in the Circuit Court of Appeals room in the U. S. Post Office and Federal Building.

World 11-13-58

14d(1) 1958

TENNESSEE

SOUTHEAST Empire

TENNESSEE PUPILS RETURN QUIETLY

Constitution

By JOE HATCHER

Staff Writer, The Nashville Tennessean
Special to The Atlanta Journal-Constitution

P. 5E

NASHVILLE, Tenn., Sept. 13—Tennes-ee apparently eased past the integration-egregation hurdle without so much as a vice of anger. Schools generally ere in full swing is week.

Joe Hatcher

Nashville and linton, the two integration points of trouble last year, operated smoothly through the first week, although officials maintained a constant alert against demonstrations of any kind.

While the elementary schools ere operating so quietly, the state board f education took steps to forestall possible trouble in Memphis for a year.

Atlanta Ga.

Under the state board's earlier ruling, all the state colleges were ordered to integrate freshmen grades this year. The

TENNESSEE

U.S. Court overruled the four-year integration proposal. Subsequently Memphis State University asked for at least a one-year delay after eight Negro students passed entrance examinations. The state board, meeting briefly Wednesday, granted the year's delay, but took under consideration a similar request for delay from Austin Peay State College at Clarksville in Middle Tennessee. The board suggested that the state seek means to provide scholarships for the Memphis students at State A. & I. University at Nashville.

Sun 9-14-58

Nashville opened with seven integrated schools, with 34 Negro students in the first two grades of these schools. A total of 20 entered the first frade as compared with only nine last year. There were 14 second grade students.

Racist John Kasper spent a few days in Nashville prior to the schools' opening, but had disappeared before the registration period. He is slated for trial on charges of inciting to riot in the 1957 school openings. "We don't know where he is, and don't care so long as he stays out of Nashville," a police official said.

The Week in Tennessee

Memphis' city school enrollment passed the **102,000 mark** this week, probably lifting the city to the position as the **fastest-growing** school population in the nation. It was **third** last year with less than 90,000 enrolled. . . . Memphis has resorted to **portable schoolrooms** for the first time. A total of 12 temporary prefab rooms were necessary for the increased enrollment, and **others may be added. . . . Chattanooga Mayor P. R. (Rudy) Olgiati** got the jump on other big city mayors opposing the proposed levy of an **additional one-cent sales tax** for strictly local use, when levied by local government bodies. The **Municipal League** will have **tough sailing** with the big city mayors all up for **re-election** next year. . . . **Flu and pneumonia** have climbed **to fifth place** as **"killers"** in Tennessee, the state health department has found. . . . Memphis **Mayor Edmund Orgill,** who was accused **of too little activity** in state affairs as mayor in his unsuccessful race for governor, was **named chairman** of the committee of **West Tennessee officials** to press for a **four-lane highway** across the state to replace the interstate superhighway lost to Arkansas. . . . **Col. Roane Waring,** 77, head of the Memphis street railway system and nationally known Legionnaire, **died** from a **heart attack.**

Short, Short Term

Chief Deputy Sheriff Herman Wayland of Knox County didn't even get a full week's pay after his appointment by newly-inducted Sheriff E. B. Bowles on Sept. 1. Wayland resigned before his first week was up after an argument with the sheriff over raiding two bootlegger-suspects. Bowles, a member of the state Senate, is known as the "Banana King" in Knoxville. He handed out thousands of his banana stock during his campaign.

Nashville Mixes More Classes

Star P. 7A
Washington D.C.
Tues 9-9-58

NASHVILLE, Tenn., Sept. 9 (AP).—Three more Negro first graders enrolled for mixed classes yesterday as Nashville city schools opened their second year of "stairstep" integration in a calm atmosphere.

This brought the total to 18 Negro pupils in first grade classes and 15 in the second grade at seven schools.

Police said there were no reported disturbances around any of the integrated schools, a sharp contrast to last year's violence. The Hattie Cotton School building was dynamited after Negroes enrolled here last September. Several hundred Negroes and whites were arrested for disturbances near the schools.

The grade-a-year integration plan was ordered in 1957 by District Federal Judge William E. Miller. Preschool registration was finished last Friday.

Nashville Right Where She Started on Integration

Federal Court Orders Submission Of New School Plan by Monday

By JOE HATCHER

Staff Writer, The Nashville Tennessean
Special to The Atlanta Journal-Constitution

Constitution P. 5-E
Apr. 6-58
Atlanta, Ga.

NASHVILLE, Tenn., April 5—The city of Nashville is right back where it started on the treadmill of the segregation-integration fight.

After a year's maneuvering since the first grades were integrated, the city board is back to the original recommendation for integration "with deliberate speed" of one grade a year to cover the 12-year integration.

The school year's "integrated" program has rolled along quietly since the violence that erupted in the first two days. The bombing of Hattie Cotton School, not involved in the integration, obviously aroused such public sentiment and hard-fisted police reaction that the violence ended as suddenly as it started.

Committee Proposal

Since that time the so-called Parents' Preference Committee has taken the lead against further integration. The committee's proposal to provide three school systems, one for whites, one for colored and one integrated, according to parent preferences, was given a reluctant whirl by the city board in federal court.

U.S. District Juge William E. Miller quickly threw the proposal out of court as coming from an unconstitutional state law. But further he ordered the school board to submit a complete plan by April 7, after indicating he did not go along with the plea for a complete integration at all grade levels for the fall of 1958.

As a result, the board reverted to its original one-grade-a-year plan, starting with the first and progressing upward through the 12th.

The parents' committee sought to persuade the city board to decline to submit a plan, and instead ask the U.S. court to order its own plan of integration. This the board declined to consider in view of the repeated orders of the court for recommendation of a complete program.

The only board vote against the 12-year plan was by the Negro member of the board, who advocated a speedier program if not complete integration at one time.

Only one of the handful of Negro students who enrolled in the heretofore all-white schools has dropped out at the last accounting. The other eight have kept pace with the new classes without incident in the schools or out so far as has been made known.

TENNESSEE

The segregation issue has thus far played little or no role in the slowly warming governor's race. There is no formal campaigning as yet by the six candidates in the August 7 primary, but the segregation question is noticeably absent from the informal speeches being made by the candidates here and there.

In fact, there's a big movement over the state to "draft" Memphis Mayor Edmund Orgill into the race and thereby perhaps narrow the field. Politicos foresee a two-way race between Orgill and Gov. Clement's designated candidate, Buford Ellington, if the Memphis mayor agrees to become a candidate.

Presumably his entry might well precipitate more of the segregation issue since he is a liberal and a "moderate" on the integration issue.

Led Uprising

The Memphis mayor was prominently identified with the campaign of Sen. Estes Kefauver in 1948 and led the way to the uprising in Memphis against the old Crump machine. Subsequently he was elected mayor over the Crump organization candidate and has served three years.

Prior to his entry into politics, Orgill headed the 107-year-old Orgill Bros. & Co., wholesale hardware firm, one of the South's largest. He has served as president of the Board of Regents of the University of the South, Episcopal, and is a leading Episcopal layman, state and nationally. He has served as president of the Memphis Chamber of Commerce, president of Rotary, and in numerous civic and charitable organizations in Memphis.

Orgill could easily make the state gubernatorial campaign one of the state's greatest. His decision will be based upon the volume of support he gets from people all over the state, and his own decision whether he can best serve Memphis or be of greater service to the state.

Nashville Plans Grade By Grade Desegregation

Daily World
Atlanta, Ga.

NASHVILLE, Tenn. — (INS) — The Nashville Board of Education has approved a plan to desegregate its public school system on an eleven-year grade-by-grade basis.

14d(1)

The proposal will be presented to Federal District Court by April 7—a deadline set by the court for a "substantial" plan for integration of classes beyond the first-grade level which was desegregated last Fall.

WJ 4-2-58
P. 1

Under the board's new recommendation, each grade would be integrated, starting with the second year level and continuing for the next eleven years.

When the court set the April 7 deadline earlier this year, Federal Judge William E. Miller declared that the plan must be "one which contemplates an elimination of racial discrimination throughout the school system with all deliberate speed."

Judge Miller's ruling came after he threw out another proposal which would have permitted parents to sent their children either to all-white, all colored, or mixed schools. Miller also refused to let the school revoke the state pupil assignment law in liew of the court-ordered plan.

Grade-A-Year Desegregation Plan Adopted

14d(1)

NASHVILLE, Tenn. (AP) — The Nashville School Board will submit to federal court a grade-a-year desegregation plan whereby compulsory racial segregation in public schools will be abolished in 1968.

The plan, passed by a 7-1 vote, will be offered for final approval to U.S. Dist. Judge William E. Miller, under whose orders the first grades here were desegregated last fall.

Daily News P. 1

The dissenting vote was cast by Coyness Ennix, sole Negro member of the board. He said he felt the plan was too slow.

Apr. 4-58

Under the board's proposal, compulsory segregation will be extended to the second grade this fall and move up one grade a year until the 12th grade is desegregated in the fall of 1968.

Jackson, Miss.

The first day of desegregated schooling last fall was marked by violence capped by the midnight bombing of Hattie Cotton Grammar School. There were no disorders after the opening week. Seven Negro first-graders still attend formerly all-white classes. Five others transferred back to Negro schools.

Integration Plan In Nashville Is Under Advisement

NASHVILLE, Tenn. — (INS) — A plan for desegregation of public schools in Nashville was under advisement Tuesday at a federal district court.

The Call P. 1

Arguments for and against a "step-ladder" plan for integration were heard by U. S. Judge William E. Miller Monday. He took the plan under advisement and allowed a period of 24-days for filing and answering briefs.

Feb. 18-58

The proposal submitted to the court early this month calls for a year-by-year desegregation of the city's public schools. According to the plan, the numerical grade advancement would complete the integration process in 11 years.

Kansas City Mo.

School Board Will Try New Formula On Federal Judge Miller

1408

Attorneys Looby And Avon Williams Declare Against "Slow And Easy" Method of Integration which School Authorities And Attorneys Contend Is "Deliberate Speed," Board Must Face Court Again On Monday Morning of Next Week

Globe Nashville Tenn

When Miss Ada Sipuel, young colored Woman of Oklahoma, tried to get training in law at the State University of her state she was rebuffed with deliberate delays. When her case got before the U. S. Supreme Court the last time before she was accepted, the Court had said that at the rate the Oklahomans were proceeding, the young woman would be an OLD WOMAN before she got justice in her native state.

Apparently, some such viewpoint is held by Attorneys Z. Alexander Looby and Avon Williams. They are contending that the Nashville School Board is "to deliberate" in the way they are handling the public school desegregation problem here.

Fri 4-11-58

Doubtless the two attorneys for the colored youths seeking to enroll in white schools are beginning to fear they will be deprived their case and clients if the school board doesn't speed up. That is, the youngsters before long will be too old to take public school training.

The judges have a way of saying a case is "moot" or something if and when delays have made it unnecessary to have any more argument pro and con regarding justice or the miscarriage thereof, at the court house.

P. 1

And so that is why the attorneys for the colored children are doing all they can to get the desegregation case fully settled here.

On the other hand the school board, maybe in disregard of Supt. Oliver's wishes, wants to "feed" as few colored children into the white schools as possible—taking [illegible] in one class per year.

The one thing the [illegible] tionists can be proud of is the school board of Nashville [illegible] be-[illegible] has not [illegible] desegregation after it was ruled unconstitutional by Judge Miller. They even stipulated at the very beginning that they would not contend that compulsory segregation was valid because of it being prescribed in the Constitution of Tennessee.

But some have been asking if the school board and their attorneys were thinking all along of some other way for "killing a cat besides choking it to death with butter," as an old saying has it.

Did Court Edict Help?

The Supreme Court may have defeated its own edict by putting in that little phrase about "deliberate speed." There are sharp lawyers in these parts who do not expect the Supreme Court to include Negroes among persons to be accepted as worthy beneficiaries of equal justice. They were able to misconstrue what was meant by "separatae but equal" for 59 years and thereby deprive Negro youths their just part of the "EQUAL" phase of the Supreme Court's edict of 1896.

The school board's plan, the papers say, was formulated by the board's attorneys, Messrs Reber Boult and Edwin F. Hunt. Now you are not supposed to come into court saying you got a suspicion that your own lawyer will release from custody your enemy. But you can go ahead and think that maybe you ought to declare the school board and their attorneys "null and void" before they have accumulated enough delays in desegregation render the school kids too old to acquire public school education. That is deemed a possibility unless Judge Miller decides he will insist that Nashville must do good like a fine city should.

Globe P. 4

Judge Miller has been hitting the ball on the nose every time he has come to bat in this segregation vs desegregation game. He may continue to do so on Monday morning of next week.

Now Mayor Ben West cannot be accused of doing anything to retard desegregation in the great city of which he is the chief executive. You cannot judge his position on the matter of compliance with the Supreme Court edict in any better way than to observe the way Attorney C. L. Ennix, colored member of the school board has behaved toward the "law of the land."

Ennix has opposed the filibustering of his associates on the board on each and every occasion they have indulged in delaying tactics. He is on record as favoring a realistic plan for desegregation. He has been a faithful opponent to the way the folks of Alabama have interpreted qual justice under law ever since he made his escape from his Alabama environment and moved Up North to Nashville, Tenn.

It is revealed by newspapers Up North that some states Down South are wasting the taxpayer's money on advertisements in Northern papers, intending thereby to build up sentiment in favor of the Supreme Court reversing the anti-segregation decision it handed down in 1954. What they are doing it is held, shows that the Dixie politicians have not read or at least have not understood what is said in Acts 26:14. "It is hard for thee to kick against the pricks."

No incidents mark Nashville's second year of integration

Birmingham News
Birmingham, Ala.

NASHVILLE, Tenn., Aug. 26—(AP)—The second year's registration of racially mixed first graders began quietly and without incident here today.

Five 6-year-old Negro pupils joined a dozen whites in enrolling in Buena Vista, a North Nashville school where two Negroes attended classes last year.

Tues 8-26-58

NEGRO PUPILS in small numbers were expected to show up at several other elementary schools before registration ends at 2 p.m.

P. 1

School Supt. W. H. Oliver, touring the schools, said "Everything is in perfect order. The situation is just as good as it could be."

Police watched the schools closely, but generally remained in the background.

Memphis school rejects Negro's request to enroll

News
P. 5
Thurs. 9-4-58
Birmingham, Ala.

MEMPHIS, Sept. 4 (AP)—A Negro mother's request that her 10-year-old son be transferred to an all-white city school was rejected by school officials yesterday.

Mrs. Gtorge B. McFerren, a secretary, said she was undecided about whether to take the matter to court. "If I decide to make a test case of it I will let you know," she told reporters.

There is no racial integration in Memphis schools. There had been no previous attempt to enroll Negro students in classes below college levels.

Mrs. McFerren said the National Assn. for the Advancement of Colored People (NAACP) had nothing to do with her request. "I just thought they would let him go there because it is closer to home," she said.

Harry Sharpe, assistant superintendent of schools, said the transfer was not granted because the boy, George E. Young, 10, is already enrolled as a fourth grader at a Negro school.

Bomb Threat Breaks Up Nashville Racial Forum

Birmingham Herald
Birmingham, Ala.

NASHVILLE, Tenn. Aug. 24 (AP)—A forum on desegregation of Nashville schools broke up here today after a bomb threat to the church in which it was being held brought police and fire vehicles swarming outside.

Race agitator John Kasper had appeared at the meeting just before the sirens began to wail outside.

Mon 8-25-58

After a search of the building disclosed no explosives, officers allowed the meeting to resume in another part of the church.

P. 1

School Supt. W. H. Oliver had just begun to address the predominantly Negro group in Clark Memorial Methodist Church when Kasper appeared at the rear of the auditorium.

A detective accompanying Oliver interrupted the superintendent and spoke to him.

Immediately afterward, the chairman of the meeting, a Fisk University professor, Vivian Henderson, asked the audience to file quietly from the auditorium exits.

Nashville Detective Rex White said both the fire and police departments had received telephone threats that the church was going to be bombed.

Kasper filed from the building with the others and remained near the church grounds talking with both whites and Negroes.

He told newsmen "I just came over to hear what they had to say and what was going on."

Kasper had no comment on the bomb threat and said he had brought no group of supporters to the meeting.

The meeting had been called to permit discussion of Nashville's first and second grade desegregation plan under which first graders will register Tuesday.

Oliver had explained registration regulations and was making a reference to the Apostle Paul's plea for peace in the church at Corinth at the time the meeting was interrupted by the bomb threat.

Bomb Threat Ends Meeting

Star
p. A 8
Washington D.C.
Mon 8-25-58

NASHVILLE, Tenn., Aug. 25 (AP).—A forum on desegregation of Nashville schools broke up yesterday after a bomb threat to the church site of the meeting. The threat brought police and fire vehicles swarming outside.

John Kasper, race agitator formerly of Washington, D. C., had appeared at the meeting shortly before the sirens began to wail outside.

After a search of the building disclosed no explosives, officers allowed the meeting to resume in another part of the church.

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The meeting had been called to permit discussion of Nashville's first and second grade desegregation plan under which first-graders will register tomorrow.

Kasper, who has served in Federal prison for his part in desegregation violence two years ago in Clinton, Tenn., is now awaiting trial here on charges of inciting to riot during last year's first step desegregation of first grades.

Bomb Threat Breaks Up Nashville Racial Forum

Birmingham Herald
Birmingham, Ala.
Mon. 8-25-58
p. 1

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SECOND GRADE LEVEL INTEGRATION APPROVED

Atlanta, Ga.
Fri. 6-20-58
p. 1
World
P. 6

NASHVILLE, Tenn. — (UPI) — The way was paved Thursday for the desegregation of second grade classes in Nashville, public schools this September.

Federal Judge William E. Miller approved a one grade a year desegregation plan submitted to his court two months ago by the Tennessee City's school board. First grade classes were integrated last September under a court order amid violence.

The board had been ordered to submit another plan for further integration by last Dec. 31. A plan calling for three different types of schools was submitted, but rejected. One of the schools would have been for white students, another for Negro students, and a third for both Negroes and whites.

NEGRO EDUCATORS PROTEST

The new plan was approved over protests by Negro educators who called for an immediate integration plan.

However, Miller said the school board is "convinced that the change-over from a segregated system is one of such drastic character, such a reversal of custom, tradition and settled practice, that disagreement with it is pervasive, far-reaching and deep-seated."

In North Carolina, Craven County school officials disclosed that 24 applications have been received from Negro students seeking reassignment to a white high school at Havelock, N. C.

It was the first such request under the 1955 Pupil Assignment Act received by school officials in an eastern North Carolina county with a large Negro population. All such requests in the past have come in the large Piedmont cities of Charlotte, Winston-Salem and Greensboro.

In Montgomery, Ala., Negro attorneys are expected to parade a stream of witnesses before Circuit Court Judge Walter B. Jones Friday in an effort to disqualify the jurist from presiding over a contempt of court suit directed against the NAACP.

The contempt case was scheduled to be heard Friday but Negro attorneys filed a motion in Circuit Court charging Jones should disqualify himself from the suit on grounds he is "biased and prejudiced."

Jones banned the NAACP from doing business in the state June 1, 1956, after the state said it was active in Alabama but refused to register as an out-of-state corporation. The Judge also fined the NAACP $100,000 for contempt of court after the Negro group refused to submit its records and membership lists to the court.

Race Relations Reporter Gives Judge Miller's Words

Speculation Is Rife Over What Supreme Court May Advise Nashville Board About "Deliberate Speed"; Many Citizens Unable To Agree Long Period of Waiting Will Satisfy Chief Justice Warren And Associates

Globe

1410

Nashville [illegible]

7 a. 10-24-58

It is interesting to do some speculating with regard to what the Supreme Court at no distant date is going to do about decision rendered here in Nashville not long ago providing for one-year at a time desegregation of Nashville's public schools.

And it is accurate to report that a number of citizens here have begun speculating. Some are saying that Judge Miller has [illegible] with the Supreme Court because of his record of being fair and forthright in several decisions made before this last one, that the Court may be inclined to believe what Judge Miller believes. That is, conditions are so acute here in Nashville, which he could also augment them with the news of John Kasper's promise to return to the city, and that desegregation of the remaining un-desegregated classes must of a necessity be delayed.

7/1

On the other hand there are those who have pondered what the Court said in handing its "haymaker" on Orvall Faubus & Co., of Arkansas in their September 29 decision and might consider what the local school board did to putting desegregation into effect here is nothing but delaying action, in line with what a number of Southern patriots have decided—keep on litigating and wait for the composition of the Court to change and become more amenable to the "Southern point of view"

It is believed the Court's patience with delaying actions has just about become exhausted. Colored citizens say that the Supreme Court ought to be any more patient with delaying actions committed by white persons than with Negroes.

It is being pointed out that back in 1896 when the Plssy vs. Ferfuson decision was handed down by the Supreme Court, no effort was made by any Negroes to change the decision or to block what the Court had made the law of the land.

Globe

The Plessy vs. Ferguson decision of 1896 showed respect for what is called old time Anglo-Saxonism. It made all Negroes of an inferior breed and sanctioned discrimination against them as being lawful. They brushed aside the plain words meaning of the 14th Amendment to the Constitution.

7 a. 10-24-58

But even so, the 1896 decision was not unanimous. It is presumed to have been enunciated asthe Law of the Land by Chief Justice Fuller, a Democrat. It was, however contested in a ringing dissenting opinion by Justice John Marshall Harlan. He held that the Constitution is "color blind" and therefore does not recognize Superior and Inferior races in a lawsuit.

But the majority opinion prevailed until 1954. That was a period of 54 years. During that time Dixie "got away with murder," so to speak. For whereas Mr. Fuller's Court had said the South could have separate facilities but they must be equal, the South did not pretend to make facilities for Negroes equal to those for whites.

Just recently the Hon Cecil Sims of Nashville is reported as saying the South would not have had to contend with the lawsuit that the Court handed down on May 17, 1954 had the authorities in the states actually provided Negroes with equal facilities in education.

Negroes very generally concede this would have been true. Negroes hold that when Chief Justice Warren said that separate facilities or inherently inferior and discriminatory, he was fortified by what had already happened to "separate but equal" in actual practice.

The August, 1958 issue of the excellent Race Relations Law Reporter, gives the actual words in the opinion issued by Judge Miller which he brought on quite an amount of speculation as to what the Supreme Court will say to Judge Miller.

The Reporter shows that Judge Miller's opinion was issued on June 19, 1958, and that the Nashville School Board's recommendation to the Court to desegregate one class a year beginning with the Second Grade in September 1958 was filed with Judge Miller on April 7, 1958.

Judge Miller said that there were divergent opinions expressed by the interested parties pro and con. He said the School Boards plan calling for one grade a year desegregation was "strongly supported by Supt. W. H. Oliver, former Supt. W. A. Bass, by Mr. Elmer Lee Pettit and by Miss Mary Brent who was principal of Glenn School, which is white. No colored principal or teacher was a witness.

The Judge then reviewed the testimony of the paintiffe. He said these witnesses were of "undoubted educational background but had had no direct official connection with the public schools, except "the witness Coyness L. Ennix, the only colored member of the School Board."

Further Judge Miller's memorandum said: "the witnesses, Herman H. Long and Mrs. Preston Valien apparently favor a plan which would require immediate desegregation of all of the public schools of the city. Dr. Preston Valien, on the other hand advocates a plan that would accomplish desegregation on the basis of the admniistrative unit, that is, first the elementary schools would be desegregated then the junior high schools, and finally the high schools.

Coyness L. Ennix tancergido

Coyness L. Ennix according to his testimony first favored the plan of total and immediate desegregation but his views underwent a change after the violent eruption which occurred upon the opening of school in the fall of 1957. He now supports the administrative unit plan of Dr. Valian or some gradual plan of similar nature.

"The summary all four of the defendant's witnesses all of whom have had years of experience in the administration of the schools of Nashville are in intimate contact with conditions in that city, support without reservation the gradual plan adopted and submitted by The School Board.

On the other hand the four witnesses of the plaintiffs, only two of them support a plan of total and immediate desegregation, whereas the other two support some type of gradual desegregation.

It therefore appears that the defendants have carried the burder of proof to establish the validity of the School Board plan that it should receive approval of the court

Of those who are speculating with regard to what the Supreme Court will say to Judge Miller, one commentator stated that Judge Miller may not influence the opinion of the Supreme Court in favor of the "good faith" claim made for the Board because of the District Courts' round about way finding in favor of the Board's action which appears to be what some say is "deliberty slow down" of "deliberate speed," in handling desegregation.

They say it seems unreasonable for Judge Miller to find favor with what he considers a simple mathematical problem. The problem they say the Judge felt he was called upon to solve was simply the fact that Supts. Oliver and Bass, Mr. Petit and Miss Mary Brent—total four, plus Dr. Preston Valien and Attorney C. L. Enniv favored delayed action in desegregation while Dr. Herman H. Long and Mrs. Valien—total two, advocated complete and immediate desegregation. He sees it as a vote of 6 to 2 in favor of delaying desegregation for a period of twelve years.

The Supreme Court has not made positive what it means by "with deliberate speed," many of those seeking to avoid desegregation have been saying. Their plan about the whole thing could be resolved by referring to the historic conclusion an Indian once reached as to a white man's proposal to divide up the supply of game the two of them had killed while hunting..

The white man, of course was the first to propose the "proper" solution. Said he: "Indian we have killed a turkey and a buzzard. I will take the turkey and you take the buzzard or you can take the buzzard and I will take the turkey." The indian didn't agree. He said the white man never had offered the Indian the turkey."

They say there is no telling how disagreeable Justice Felix Frankfuter might get if and when he gets suspicious that Justic Miller has just organized another plan as drastic even if more polite as a way of getting around giving the Indian equal opportunity of getting the turkey when dealing with the white man and his mathemtics.

In the meantime, Atty. Z. Alexander Looby who represents the Negro pupils and parents, is in the hospital, the victim of a recent automobile accident. The case Judge Miller ruled on must go to the Circuit Court in Cincinnati, and if necessary, next to the Supreme Court in Washington.

Attorney Looby had a similar experience before winning a decision for desegregation at Clinton, Tenn., where Negro students were forced to go by bus every day from Clinton to Knoxville.

14d(1) 1958

TENNESSEE

Colored Member Is Lone Dissenter To Latest Plan Adopted

Globe Nashville Tenn.

Nashville School Board Proposes One-A-Year Desegregation For Classes In City's System; Proposal Must Now Go Before Federal Judge Miller Who Has Rendered Previous Delaying Actions Null And Void: Full "Changeover" May Wind Up In Supreme Court Of U. S.

Fri 4-4-58

Attorney Coyness L. Ennix, proud former native of the State of Alabama but who took flight from those parts many years ago and came to Nashville where he entered old Roger Williams University as "unregenerate" as is Supreme Court Justice Hugo Black, one of the authors of the classic phrase, "with all deliberate speed." Justice Black is a native of Alabama, also.

Attorney Ennix, sole colored member of the Nashville School Board is like the great Republican stalwart, deceased former Justice John M. Marlan, who refused to go along with the findings of the other members of the U. S. Supreme Court who gave us another classic phrase, "separate but equal" which became dear to the Alabaman and other politicians, who found that it played right into their hands when they looked around for a formula by which they could skin the colored kids of a number of states out of a fair chance to acquire an education.

To make a long story short, Attorney Ennix went "contrary" to the majority opinion of the school board of which he is a member, in their meeting on Monday night of this week. The majority arrived at the conclusion that the "law of the land," as enunciated by the Supreme Court on May 17, 1954 specifying that "separate but equal was a dead letter and that from then on the states, must disregard what the ancient group of lawyers said back in 1896 about "separate but equal."

The Supreme Court in 1954 did not insist that the states must hurry in putting the new order into effect. It said that the states should "deliberate" long enough to make a reasonable but effective change over.

And so this week the Nashville School board came up with the formula that it has been directed to have ready last December 31. Attorney Ennix, for all you know, may have told his fellow board members that "the soul that deliberates is lost," we have been told by a wise man that it is unsafe for sinners to deliberate too long before accepting the plan of salvation. Bro. Ennix is a Baptist lay preacher as well as a lawyer. Maybe he is right and maybe he is wrong. You cannot tell right away whether the school board has the right formula for desegregating its schools.

Globe, P. 4

Fr. 4-4-58

It cannot now be said for a certainty that Judge Miller of the Nashville Federal District will go along with the school board, by telling them they had done as well as could be expected under the circumstances. Judge Miller, after all, is trying to do what will be approved by the Supreme Court.

Like all reputable judges, Judge Miller would hate to get turned down by the Supreme Court when quite likely Chief Justice Warren and mates will pass upon the way desegregation was carried out in Nashville.

The Nashville school board voted 7 to 1 in favor of carrying out a degergegation formula of mixing students without regard to race. They aim to let stand original plan of mixing white and colored youngsters of the first grade which went into effect in September of 1957, and to desegregate the second grade in September 1958 and continue desegregating the whole system of twelve grades has been done.

If one may judge by the effort to forestall making the desegregation law effective in Nashville as was recently done by the parent preference committee, and the flata turn down of their effort by Federal Judge Miller it seems likely that the latest effort from the School Board, will possibly met a similar fate.

It is said that the best informed educators hereabout think that a better plan than the school board has heretofore offered would be one that would desegregate all elementary schools at first, then all junior high schools second and finally all senior high schools.

One humorous fellow hereabouts says the school board action reminds him of the plan of a person to amputate the tail of his puppy dog—by cutting off a little bit of Fido's tail at frequent times until the whole job was done. That plan was supposed to make the operation less painful for Little Fido.

Those who approve the action of the majority of the board feel that they were keeping in mind the amount of commotion caused when the desegregation plan was put into effect last year, involving only first grade youngsters. That effort resulted in the actual desegregation of only a very few children. It is said that neither colored nor white parents of children want to see any thing happen in Nashville like what took place in Little Rock, Ark., as where thy started desegregation among teenagers in the senior high school.

It is generally admitted however, that the affair at Little Rock would not have gotten out of hand if the city had a mayor and police officers of the same mettle shown by Mayor Ben West and as did squadron of police and detectives.

The Nashville mayor and his officers plus a great host of the best citizens showed a willingness to forget about desegregation itself and to think only about obeying the law of the land as handed down by the U. S. Supreme Court which it will be remembered had been sanctioned by the Supreme Court of Tennessee, headed by illustrious Chief Justice A. B. Niel, who is a Nashvillian and who served many years as judge of one of the Circuit Courts here.

City Drafts Mixing Plan

Advertiser

NASHVILLE, Tenn. (AP) — The Nashville School Board voted 7-1 Monday to submit to federal court a plan to continue public school desegregation one grade per year until 1968.

Montgomery, Ala.

The dissenting vote was cast by Coyness Ennix, Negro member of the board.

Wed. 4-2-58

Compulsory segregation was ended in the first grade last fall as the first step of desegregation under order of Federal District Judge William E. Miller.

P. 18-A

Violence marked the first day of desegregated schooling and reached its climax with the bombing of Hattie Cotton grammar school that night.

Since then Miller has disapproved two School Board proposals for longer range desegregation plans.

The new plan would end compulsory segregation in the second grade next fall and thereafter for one additional grade each subsequent school year.

Nashville Integration Plan proved

News-Courier

NASHVILLE, Tenn. (AP)—Federal Judge William E. Miller Thursday approved the Nashville School Board's grade-a-year integration plan.

Charleston, S.C.

The second grade will be integrated this fall, the third grade a year later. The process will continue until racial segregation is eliminated in 11 years.

Fri 6-20-58

Miller held that the plan is in keeping with the concept of all deliberate speed set forth by the U.S. Supreme Court and added that "local conditions call for the application of a local remedy."

P. 1-A

"It would be an unwarranted invasion of the lawful prerogatives of the legally constituted school authority if the court should undertake to set its — the board's— judgment aside and substitute some other plan," Miller said.

First grade classes were integrated last fall at Miller's order.

A school was dynamited and numerous incidents of violence were reported during the first week of mixed classes.

No major incidents were reported during the remainder of the year.

Linda
1400
Tenn

IN NASHVILLE, Linda McKinley waits in front of Fehr school for school boy patrolman to assist her across the street. Linda was passed to the second grade after finishing her first year in an integrated school. UPI Telephoto

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Mixed Schools Ruled Out In Chattanooga

p. 3

CHATTANOOGA, Tenn., July 9 (AP)—The City School Board today denied a request that public schools be integrated at the start of the Fall term late next month.

7-10-58

"It would be extremely unwise to comply with the request," the board said in a unanimously approved decision.

Douglas Carter, president of Citizens for General Improvement, the group headed by Negroes which made the request, said he would have no comment until after a meeting of his organization Friday.

Carter had indicated shortly after the request was made last month that he felt a court test would be necessary.

The board said in March, 1956, that schools would not be integrated for several years, "probably five years or more."

Integration Talk Halted By Threat

p. 82

Constitution

Mon. 8-25-58

NASHVILLE, Tenn. (AP) — A forum on desegregation of Nashville schools broke up Sunday after a bomb threat to the church site of the meeting. The threat brought police and fire vehicles swarming outside.

Race agitator John Kasper had appeared at the meeting just before the sirens began to wail outside.

Atlanta.

School Supt. W. H. Oliver had just begun to address the predominantly Negro group in Clark Memorial Methodist church when Kasper appeared at the rear of the auditorium.

Ga.

A detective accompanying Oliver interrupted the superintendent and spoke to him.

Immediately afterward, the chairman of the meeting, a Fisk University professor, Vivian Henderson, asked the audience to file quietly from thé auditorium.

Nashville Detective Rex White said both the fire and police departments had received telephone threats that the church was going to be bombed.

Kasper filed from the building with the others and remained near the church grounds, talking with both whites and Negroes.

He told newsmen, "I just came over to hear what they had to say and what was going on."

Race Baiter Watches As Policemen Search For Bombs In Church

Call p. 1

Kan. City

Aug. 29 58

NASHVILLE, Tenn. — A noted Negro-hater stood outside a church here Sunday while police combed the building after a telephone bomb threat broke up a forum on desegregation.

Race agitator John Kasper had appeared at the meeting just before the sirens began to wail outside.

Inside the building, School Supt. W. H. Oliver had just begun to address the predominantly Negro group in Clark Memorial Methodist church when Kasper appeared at the rear of the auditorium.

A detective accompanying Oliver interrupted the superintendent and spoke to him.

Immediately afterward, the chairman of the meeting, a Fisk university professor, Vivian Henderson, asked the audience to file quitely from the auditorium.

Nashville Detective Rex White said both the fire and police departments had received telephone threats that the church was going to be bombed.

Kasper filed from the building with the others and remained near the church grounds, talking with both whites and Negroes.

He told newsmen, "I just came over to hear what they had to say and what was going on."

Kasper had no comment on the bomb threat and said he had brought no group of supporters to the meeting.

The meeting had been called to permit discussion of Nashville's first and second-grade desegregation plan under which first graders will register Tuesday.

Oliver had explained registration and was making a reference to the Apostle Paul's plea for peace at the time the meeting was interrupted by the bomb threat.

Call

Fri. 8-29-58

Kasper recently was released from federal prison where he served a term for his part in desegregation violence two years ago in Clinton, Tenn. He is now awaiting trial here on charges of inciting to riot during last year's first step desegregation of first grades.

One of Nashville's grammar schools was severely damaged by a midnight dynamite explosion in the violent reaction to court-ordered desegregation last fall.

After a search of the church disclosed no explosives, officers allowed the meeting to continue in another part of the building.

Kasper, a New Jersey native, was rumored to have asked a Negro girl in Greenwich Village, N. Y., to marry him and when she refused he turned on all Negroes.

FAIL TO INTEGRATE

~~Jackson~~ News

White Teachers Ousted By Union

Jackson, Mississippi

Wed. 8-27-58

MILWAUKEE (AP) — The white teachers union local of Chattanooga, Tenn., was ousted from the American Federation of Teachers last night for failing to integrate with Negro teachers. The Negro local in Chattanooga retained its charter.

P.R.

The white local was removed from membership after three hours of debate at the AFT's 42nd annual convention. The action came on a voice vote.

At the recommendation of the national executive council, the white teachers, members of Local 246, were given permission to appeal the decision at the current convention.

CRITICS UNSATISFIED

Supporters of Local 246 said their unit removed a discrimination section from its constitution and was not violating the national organization's constitution, which forbids chartering locals which define, recognize or practice segregation.

Critics said the local was still discriminating even though the section had been removed from its constitution.

The AFT, at its national convention in 1956, notified segregated locals to integrate by Dec. 31, 1957, or face the loss of their charters. At that time, five Southern locals withdrew.

Willard Millsaps, chairman of the legislative committee of Local 246, said, "we have never refused an applicant because he or she was a Negro."

He said he did not know if Negroes had applied for membership.

"If we remain with the AFT, we will be a union," Millspas told the convention. "If not, we are prepared to function as a group in our own community and will be represented by the labor movement there."

He said Negro and white teachers both are fearful of integration of their unions because a large segment of the population would suspect them of integration of schools as well. He added the two issues were entirely different.

14d(1) 1958

TENNESSEE

1

U.S. Jurist Rejects Pupil PlacementLaw

14d(1)

NASHVILLE, Tenn., Feb. 18 (AP)—U.S. District Court Judge William E. Miller rejected today a pupil assignment plan for Nashville city schools and gave the school board until April 1 to come up with another plan for gradual desegregation.

Advertiser P.1

Under the pupil assignment plan, parents so desiring could send their children to an all-white schoool, an all-Negro school or to an integrated school.

Wed. 2-19-58

Nashville started gradual desegregation last September under orders from Judge Miller.

First integrated classes were started in some of the first grades. About 12 Negro children enrolled for mixed classes at the start of the fall term.

Montg

Violence erupted the first few days, resulting in the dynamiting of one school and the arrest of several persons on charges of violating the court's injunction against interference with orderly integration.

Ala.

Attorneys for several Negro parents are seeking full integration of city schools. Attorneys for the school board argued that the court has already accomplished the purpose of the lawsuit by ruling out racial discrimination.

Judge Miller said today that the pupil assignment plan "does not offer in any realistic sense an alternative or choice to the members of the minority race."

School Board Is Reluctant To Go Further "Delaying"

Victory In Long Drawn Out Contest Rewards Skill Of Attorney Z. Alexander Looby, It Is Conceded Capable Lawyer Didn't Show Up For Latest Lawsuit But Anticipated Decision Of Judge Miller, Atty. Avon Williams Handled Case

It has come to pass that Nashville leaders of both races are now evaluating the political as well as the legal prowess of one, Z. Alexander Looby, as "tops" among the colored attorneys at the Nashville bar. They are calling him a seasoned political leader as well as an attorney who is more than likely to win his lawsuits when he goes to the court house.

Globe, P.1

The general public, however, was quite surprised when in this latest foray by the Parents Preference Committee against the "law of the land," Mr. Looby whom they were expecting to go into Federal Court "loaded for bear," actually did not show up for the trial. His side of the case was handled by Mr. Looby's young assistant and partner, Avon N. Williams, Jr.

Fri. 3-21-58

Nashville, Tenn

One jittery constituent of Attorney Looby inquired of him regarding how he expected to handle the case dealing with school desegregation, found Attorney Looby supremely confident that the Nashville School Board who volunteered to go to the front for the Preference Committee didn't have a thing on the ball. He indicated that Federal Judge Miller could not avoid "repeating himself" in ruling on the merits of the school board's maneuver for getting around doing something different about desegregation in Nashville.

Sure enough, that is what happened.

It was surmised that the Parents Preference Committee would call upon the school board to appeal the "turn down" by Judge Miller to "higher powers" but now it appears that the School Board's attorneys, Messrs Reber Bolt and Edwin F. Hunt are about ready to declare "We have had it" and not inclined to go higher than the District Federal Court in their effort to get any comfort for the preferring parents.

You would think that they were getting ready to overrun the white public schools here with Negro students. The actual fact is that the board has taken a school census and is recognizing the fact of colored citizens being generally situated in their own communities in Nashville with white citizens in theirs. "Token desegregation" was the only practical thing to carry out because of that fact.

Accordingly, it became agreeable to all concerned to improve school facilities on a fair basis as a prerequisite to carrying out desegregation according to law. This has been or is being done rapidly and the result of it is to be a peaceful change-over from the old separate but NEVER EQUAL system of schools heretofore maintained here.

What appears true about the Parent Preference Committee's maneuvers is that they do not seem to present a valid list of parents of both races who are crusading for an entire system of mixed schools, regardless. What colored parents teachers say about the matter is "We are willing to obey the demands of the law." What a notable list of responsible white parents are saying is the same thing.

Some are looking at the way they have put over a program of desegregation in Louisville, Ky., even to the extent of integrating some colored teachers to positions in predominantly white schools. What has happened in Louisville is about like what took place in Baltimore some ten or more years ago when they integrated a colored student of law at the Maryland State University. In a short time thereafter, it was observed by investigators that the young colored man Murray and his white law school classmates were getting along happily together, more interested in how to understand their law studies and pass examinations than in anything else.

The Parents Preference group seems to be most deeply concerned about further desegregation here. They want the school board to hand the desegregation "hot potato" over to the Supreme Court and tell them ready to formulate desegregation plans themselves. They want the school board to take that view of the matter since District Judge Miller refuses to consider either "parents preference" or recently enacted state laws aimed at dodging desgregation. Unfortunately for the group, it seems, is the fact that they have been unable to amass a group of high class lawyers to join them.

Globe P.4

Most lawyers have that judgeship "bee in their bonnets" and they do not show a willingness to defy the Supreme Court, and especially since the Supreme Court of Tennessee is on record as seeing the U. S. Supreme Court decision of 1954 as a reasonable interpretation of the Constitution.

Fri. 3-21-58

Federal Judge Miller's latest decision requires the school board to formulate and hand in their plans for more desegregation on April 7, of this year.

Nashville, Tenn.

This very likely will be done happily by the board because it is said these officials have not enjoyed being looked upon as obstructionists, which is the name they got in many quarters while trying to accomodate the Parent Preference Committee.

Presumably the fuller-desegregation program for Nashville will go into effect at the beginning of the fall term next September. This will be because the foes of any desegregation will have run out of all of their "delaying action" maneuvers by that time.

RACIAL PLAN ADOPTED BY NASHVILLE BOARD

Commercial Appeal

Memphis Tenn.

Would Integrate Schools One Grade Each Year—It's Up To Court

Tues. 4-1-58

By The United Press

NASHVILLE, March 31.—The city school board Monday adopted a plan calling for ending school segregation at the rate of one grade a year.

P.1

Integration of the first grade began here last fall.

The board's plan would add the second grade as an integrated grade this fall.

Court's OK Needed

The plan, if approved by Federal Court, would find the third grade desegregated in 1959 and the fourth grade in 1960.

The vote in favor of the one grade at a time plan was 7-1 with Negro board member Coyness Ennix voting against it.

"This is not desegregation with all deliberate speed," Ennix said, "and Federal District Court in Kentucky already has said one grade at a time is too slow."

Federal Judge William Miller has given the board until April 7 to supplement its plan which ended racial segregation in the first grade last fall.

The practical effect of the plan approved Monday would be to let this year's Negro first graders be the first of their race in each grade as they move on through school.

Three-School Plan Banned

Judge Miller recently turned down a proposal from the board which would have set up a three-school system, one white, one Negro and one integrated.

A hearing on the new plan, which the board called a supplemental plan, is set for April 14 in Federal Court here.

School plan is adopted at Nashville

News - P. 23
B'ham, Ala.
Tues. 4-1-58

NASHVILLE, Tenn., April 1 —(AP)—The Nashville School Board will submit to federal court a grade-a-year desegregation plan whereby compulsory racial segregation in public schools will be abolished in 1968.

The plan, passed by a 7-1 vote yesterday, will be offered for final approval to U. S. Dist. Judge William E. Miller, under whose orders the first grades here were desegregated last Fall.

The dissenting vote was cast by Coyness Ennix, the sole Negro member of the board. He said he felt the plan was too slow.

Under the board's proposal, compulsory segregation will be extended to the second grade this Fall and move up one grade a year until the 12th grade is desegregated in the Fall of 1968.

THE FIRST DAY of desegregated schooling last Fall was marked by violence capped by the midnight bombing of Hattie Cotton Grammar School. There were no disorders after the opening week. Seven Negro first graders still attended formerly all-white classes, five others having transferred back to Negro schools.

The board was under orders from Judge Miller to submit by April 7 a plan for desegregating the remaining 11 grades. Two previous plans, based on laws passed by the 1957 Legislature, previously had been rejected by Miller.

As court ruling result—

County in Virginia may close schools

NASHVILLE, Tenn., April 4—Southern School News reported here today that public schools of Prince Edward County, Va., probably will be closed in September "if no legal means are found by the state to prevent desegregation."

News P. 11

This would be the first school-closing move in the South since the U. S. Supreme Court decision of 1954 against segregation. The publication's Virginia correspondent reported that "there is virtually unanimous agreement that the schools of Prince Edward will be closed under state law, and that white residents of the county will carry out their plan to operate a system of private schools for white children."

Fri. 4-4-58

The county and the state of Virginia recently lost an appeal to the Supreme Court and will not ask for a rehearing. Negro children predominate in Prince Edward, a "Southside" county near the North Carolina border.

ELSEWHERE on the school front, Southern School News reported further desegregation plans in Louisville, Ky., and Newark, Del. Pine Bluff, Ark., which two years ago scheduled desegregation for September, 1958, announced it would delay its plan because of incidents at Little Rock.

The paper also reported two legal moves toward desegregation in the Deep South—the starting, yesterday, of trial of a Birmingnam school entry suit and a decision to hear arguments state-by-state follows: desegregation time limit in New Orleans.

A summary of major developments state-by-state fololws:

ALABAMA—Alabama's pupil placement law, challenged by four Negro children who have sought to enter two all-white schools in Birmingham, was getting its first legal test in federal court this week.

ARKANSAS — Desegregation at Pine Bluff, scheduled for September, 1958, will be postponed because of events in Little Rock. Gov. Orval Faubus filed as a candidate for a third term.

DELAWARE—A "Little Rock" school-closing bill was defeated for the third time in the Legislature, but kept alive by a parliamentary maneuver. Each vote has been closer. Racial and community relations betterment efforts were reported from several areas.

Birmingham Ala.

DISTRICT OF COLUMBIA—Carl F. Hansen, a leading administrative figure in Washington school desegregation, was named acting superintendent of the capital's school system.

FLORIDA—One witness stalked out and 15 were cited for contempt in a legislative probe of possible ties between integration leaders and communism.

GEORGIA—The county unit electoral system, long regarded as a segregation bulwark, was challenged by Atlanta Mayor William B. Hartsfield in a lawsuit. Effect of the system is to insure rural domination of the Legislature.

KENTUSKY — Segregation-desegregation was not raised one way or the other in the biennial session of the Legislature. Louisville is closing a Negro school this Summer, at a sizable saving, and transferring pupils to mixed schools.

LOUISIANA—As Sen. William Rainach's committee prepared new pro-segregation bills for the May legislative session, the segregation leader said that the South would not only retain "racial separation" but would export the idea to "a very receptive North."

MARYLAND—Appeals were planned by the NAACP from two rulings by the state Board of Education considered adverse to Negro plaintiffs in two counties. Negro elementary enrollment since 1945 in Baltimore has increased at three times the white increase.

MISSISSIPPI—Public schools gave way to other issues, including a voter registration suit and controversy over discussion of segregation-desegregation at two colleges.

MISSOURI—St. Louis reported as a "perplexing problem" the necessity of absorbing large number of Negro children who have moved into local schools from the South.

NORTH CAROLINA—Judges, juries and police were cracking down on Ku Klux Klan activities, and both segregationists and integrationists were attacking operation of pupil placement.

OKLAHOMA—A local district offered the first test of the state's fiscal policy which encourages desegregation, seeking continued state aid for separate schools.

SOUTH CAROLINA—Democratic and Republican state conventions projected the race question farther into politics, while candidates in the forthcoming Democratic primary stepped up their activities.

TENNESSEE—Persons as yet unnamed dynamited the Nashville Jewish Community Center in an incident linked with school segregation-desegregation. The capital city's school board got conflicting proposals on further steps in court-ordered desegregation and the board approved a year-at-a-time plan.

TEXAS—Thirty-five Texas colleges are desegregated in practice and eight others as a mataer of policy, the first comprehensive statewide survey showed.

VIRGINIA—The state said it would not ask for a rehearing in the Prince Edward County case, denied review by the U. S. Supreme Court. The Legislature completed action on new pro-segregation laws.

WEST VIRGINIA—NAACP attorneys may seek legal action to speed up desegregation in Cabell and Raleigh Counties, where it is charged "progress" of desegregation is slow.

Nashville Adopts Integration Plan

Post Herald

Board Agrees On More Desegregation

B'ham Ala.

NASHVILLE, March 31 (U.P.)—The City School Board today adopted a plan calling for ending school segregation at the rate of one grade a year.

Desegregation of the first grade began here last Fall.

The board today adopted a plan calling for adding the second grade as a desegregated grade this Fall.

Tue. 4-1-58

". . . And thereafter one additional grade each year" will be desegregated the board said.

The plan, if approved by Federal Court, would find the third grade would be desegregated in 1959 and the fourth grade in 1960.

P. 1

The vote in favor of the one grade at a time plan was 7-1.

The practical effect of the plan approved today would be to let this year's Negro first graders be the first of their race in each grade as they move on through school.

A hearing on the new plan, which the board called a supplemental plan, is set for April 14 in Federal Court here.

Nashville Plans Grade By Grade Desegregation

NASHVILLE, Tenn. — (INS) — The Nashville Board of Education has approved a plan to desegregate its public school system on an eleven-year grade-by-grade basis.

1958

The proposal will be presented to Federal District Court by April 7—a deadline set by the court for a "substantial" plan for integration of classes beyond the first-grade level which was desegregated last Fall.

World P. 4

Under the board's new recommendation, each grade would be integrated, starting with the second year level and continuing for the next eleven years.

Wed. 4-9-58

When the court set the April 7 deadline earlier this year, Federal Judge William E. Miller declared that the plan must be "one which contemplates an elimination of racial discrimination throughout the school system with all deliberate speed."

Birmingham Ala.

Judge Miller's ruling came after he threw out another proposal which would have permitted parents to sent their children either to all-white, all colored or mixed schools. Miller also refused to let the school revoke the state pupil assignment law in liew of the court-ordered plan.

Nashville School Mixing Plan OK'd

Post Herald

Second Grade To Be Integrated This Fall

P. 1

NASHVILLE, Tenn., June 19 (AP)—Federal Judge William E. Miller today approved the Nashville school board's grade-a-year desegregation plan.

6-20-58

The second grade will be desegregated this Fall, the third grade a year later. The process will continue until racial segregation is eliminated in 11 years.

1958

Miller held that the plan is in keeping with the concept of all deliberate speed set forth by the U. S. Supreme Court and added that "local conditions call for the application of a local remedy."

Birmingham Ala.

"It would be an unwarranted invasion of the lawful prerogatives of the legally constituted school authority if the court should undertake to set its (the board's) judgment aside and substitute some other plan," Miller said.

First grade classes were desegregated last Fall at Miller's order.

A school was dynamited and numerous incidents of violence were reported during the first week of mixed classes.

No major incidents were reported during the remainder of the year.

Clement Tells Nashville Crowd Dynamite Won't Close Schools

By TOM WILSON.

News Observer
Wed 10-29-58
R1
Raleigh N.C.

NASHVILLE—"We may close our schools, but nobody is going to close them with three sticks of dynamite," Tennessee's Gov. Frank G. Clement told a crowd estimated at more than 7,000 persons attending the 11th annual Nash County Harvest Festival here Tuesday afternoon.

Gov. Clement called the recent destruction of the high school at Clinton, Tenn., by three dynamite blasts a "cowardly act" and declared that "the full power of Tennessee's law enforcement agencies is being used in an effort to find and punish the persons responsible."

"Such acts of violence won't stop public education in Tennessee," the visiting Governor declared, "We'll hold classes outdoors under the trees if necessary. They destroyed our school, but not our spirit."

Gov. Clement also lashed out bitterly at the Federal Government for failing to provide federal funds to rebuild Clinton's high school plant after the dynamiting.

"The Federal Government," he charged, "is willing to spend hundreds of thousands of dollars to put bayonets in the backs of school children in a community where there is alleged defiance of the law, but not one dime for a school that tried to uphold law and order and found its school plant destroyed."

Clement said he would not "straddle the fence on the question of integration. I like segregated schools," he said, "but I am also sworn to uphold the Constitution of the United States and I will not be deterred from my sworn duty as Governor of Tennessee."

The crowd applauded Clement's criticism of "self-anointed experts in the North who have been trying to tell the South how to solve its problems when the North has unsolved problems of its own."

He cited instances of race violence in Chicago, Detroit, New York, and other Northern cities as evidence of the North's inability to solve racial problems.

Wed. 10-29-58

Big Parade.

Clement spoke following a mammoth parade down the town's Main Street which opened the Festival program. He was introduced by Congressman Harold D. Cooley, who described the visiting Governor as an outstanding American.

The parade procession led by Uncle Sam Davis of Rocky Mount, featured four marching bands and more than 60 entries by 4-H Clubs, Boy Scout troops, Future Farmers of America, Home Demonstration Clubs and business firms.

Prizes totaling $125 went to the top five non-commercial entries in the parade. The first place award went to the Nashville Future Farmers of America chapter for a float depicting sources of farm income in Nash County.

Runner-up honors went to the Red Oak Junior 4-H Clubs.

Winners among commercial entries were Madelyns Flower Shop, first place, and the Nashville Florist, second place.

County talent contests provided entertainment for the crowd following Gov. Clement's address.

Climaxing the festivities for the day was a beauty contest held in the school gymnasium.

Winner of the "Miss Nash County" title was Ann Pearce of Spring Hope. Mrs. Charles B. Smith of Sharpsburg was crowned "Mrs. Nash County." Betty Lane Evans of Greenville, "Miss North Carolina," did the crowning honors.

Runners-up in the "Miss" contest was Tillie Strickland and in the "Mrs." contest, Mrs. Ruth Winstead, both of Nashville

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Negroes Enroll Without Incident At Nashville

Star
PA 36
Wed 8-27-58
Washington, D.C.

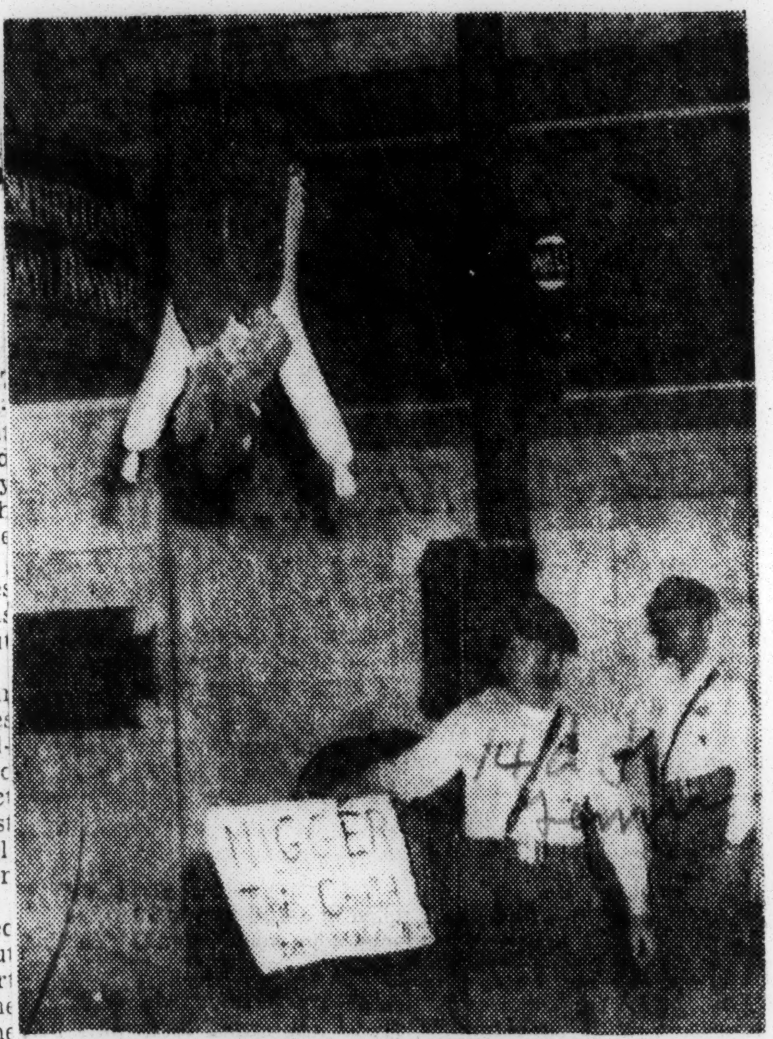
NASHVILLE, Tenn., Aug. 27 (AP).—Fifteen Negro first graders enrolled without incident yesterday for desegregated classes in seven Nashville city schools. This compares with 2,136 whites in the same schools.

Police and school authorities say yesterday's registration was carried out quietly and without a sign of disorder.

This starts the second year of mixed first grade classes under a "stairstep" plan of adding one grade a year, as ordered in 1957 by Federal District Judge William E. Miller. Last year's first graders can enrol for second grade classes when schools open September 8.

Last year, 19 Negroes enrolled originally in seven schools, but 10 transferred within a short time to all-Negro schools. The remaining nine completed the school year.

Disorders broke out in several areas at the start of school last fall. The Hattie Cotton School was dynamited during the night after first integrated classes were held and police arrested more than 100 whites and Negroes during several disturbances.



GRIM WARNING

News
Jackson Miss
Wed 8-27-58
Jackson News

Two patrolmen examine a dummy, supposed to represent a Negro man, which was hanged in the heart of downtown Nashville Tuesday night—one of several incidents following school integration there. A police crackdown on demonstrators Tuesday night held down such incidents over previous days and school officials say they hope the crisis is over. The sign on the dummy reads, "This Nigger Could Be You."—Daily News-AP Wirephoto.

Second Step In Integration Taken Calmly at Nashville

Courier-Journal

Louisville, Ky.

From Wire Dispatches

Nashville children made a peaceful return to the City's public schools yesterday to register for a second year in partially integrated classrooms.

The orderly registration of students for the second through the 12th grades took place amid rising racial tensions over desegregation elsewhere in the South.

The calm at Nashville's previously all-white schools contrasted with the near riots at the registration period a year ago.

Thirteen Negro children registered for the second grade under Nashville's one-grade-a-year plan for ending segregation.

Fifteen Negroes registered for the first grade last week without incident. This will be the second year for first grade integration.

Sat 9-6-58

At Van Buren, Ark., white students protesting integration succeeded yesterday in barring Negroes from Van Buren High School. But they failed in a bid to entice more students to join their classroom boycott.

The striking students again telegraphed Governor Orval E. Faubus in Little Rock for help.

"Reports I have had from observers on the grounds indicate there is very little trouble," Faubus said. "I don't think anything is going to develop. They seem to think that things will quiet down."

About 50 jeering youngsters, including seven girls, gathered again across the street from the school. They remained until school let out.

School officials said no Negroes attended class yesterday. Thirteen Negroes are enrolled at Van Buren High.

P 2

The total of strikers was reduced from 48 Thursday to 44 yesterday.

At Harrisonburg, Va., United States Judge John Paul advised the Warren County School Board that it could not bar Negroes from the County's white high school.

He did not order immediate admission, but said that since the County lacks a Negro high school it must admit Negroes to the white school.

School Board officials showed him blueprints for a half-million-dollar Negro high school.

14d(1) 1958 TEXAS

U. S. vs. Texas—

Dallas schools to remain segregated coming year

DALLAS, June 27—(AP)—The Dallas School Board, beset on two sides and bogged down in a legal morass, said today its schools will remain segregated in the coming school year.

News

P. 24

It pointed toward an apparent conflict between the U. S. Supreme Court's ruling against school segregation and Texas integration laws.

"THE BOARD IS convinced that it would be a poor service to Dallas and to the large area of the Southwest which may follow the Dallas lead to undertake the activation of the Supreme Court decree until federal and state courts reach some legally acceptable unanimity of opinion," said the board's statement.

Birmingham

Ala.

Edwin C. Washington Jr., who spoke at the school board meeting, was booed when he said he was a field representative of the Dallas branch of the NAACP.

He said he was "disappointed in the board for its seeming delay in not making a prompt and reasonable start (toward integration). "It grieves me," he said, that his two children "will be denied their rights."

The Rev. R. E. Davis, who said he was president of a local Citizens Council, said if the board carries out integration it would be "aiding and abetting the Supreme Court in destroying every vestige of constitutional law and order—shaking the very pillars of the republic."

Fri. 6-27-58

THE U. S. FIFTH CIRCUIT Court of Appeals July 23, 1957, ordered the Dallas School District, which has roughly 115,000 pupils, integrated. But it did not set a deadline.

The Dallas School Board contends it cannot comply with the decree without violating a law passed by the 1956 Texas Legislature.

Dallas To Keep Separate Schools

Atlanta World

Atlanta, Ga.

DALLAS (ANP)—The city board of education evidently decided Thursday that the state of Texas is a more formidable foe than the federal government for, in an unanimous action, it instructed School Supt. W. T. White that "there shall be no alteration of the present status regarding segregation of the races" in the 1958-59 school term.

Thurs. 7-3-58

At the same time, to extricate itself from between two opposing authorities, the board instructed Atty. Andrew J. Thuss to institute a suit in state courts seeking "legally proper and orderly resolution" of the conflict between the state and federal integration ruling.

P. 6

All this occured after proponents and opponents of integration had appeared before the school body to give their views on the subject. There were six for segregation and two for integration.

Five of the six segregationist were members of the Oak Cliff White Citizens council. The sixth curiously enough, was a Negro preacher from Little Rock, a Prophet M. D. Willet.

For integration were Edwin C. Washing, Jr., NAACP field representative, who was roundly booed when he announced his affiliation; and Mrs. M. A. Flanagan.
Mrs. M. A. Flanagan.

MOVE EXPECTED

The continuance of segregated schools in the city was not unexpected, since all indications were that the status quo would provail next fall.

In a 2 1-2 page single-spaced statement, the board reviewed the complicated, legal-entangled dilemma in which it found itself in the school problem. It concluded that "this board desires to be instrumental in resolving the integration problem in a manner better than yet evolved, inasmuch as it recognizes that uncertainty creates tension and confusion both within the school system and the community."

The statement said the board would "continue to make every conscientious effort to provide for all children of Dallas and the best educational program possible.

"We beg for the tolerance, patience and understanding of all concerned," the statement said.

Further along, the board noted that it "reserves the right to alter this directive if the situation changes or judgement directs."

Texas school, integrated for five years, gets bomb threat

WICHITA FALLS, Tex., Oct. 23—(AP)—Classrooms were evacuated briefly at integrated Mid-Western University yesterday after a second threatening anonymous telephone call in two weeks.

News

P. 31

Eddie Wyatt, senior student and University telephone operator, said a man told him over the phone to "get everybody out of there by 11 o'clock."

Wyatt said the caller sounded like the man who phoned two weeks ago, asked if Negroes were students at Mid-Western and said, "We give you until tomorrow to get everybody out of the building."

Birmingham

Ala.

That call was ignored but Dr. Travis White, president of the city-owned school, ordered classrooms emptied after the second one. About 1400 persons left the classrooms for about 20 minutes.

Thurs. 10-23-58

Dr. White said Negroes have attended the school for five years without previous incidents.

Impressive Ceremonies Mark Dedication Of Bethune School

Informer
Houston, Texas,
Sat
12-6-58
p 20

HOUSTON — The Mary McLeod Bethune Elementary School 2400 S. Victory Street (Acres Homes) was dedicated Sunday, November 30, with impressive ceremonies.

With the audience standing, after the opening song, the Rev F. Williams gave the invocation. The glee club sang very touchingly, "Oh, Lord, Have Mercy." Mrs E. Harnesberry, PTA president, then gave the occasion.

In the dedication ceremony proper, E. C. Funderburk, V. Pres board, of Edu made the presentation of the building. Thomas Tope, business mgr. made the acceptance speech.

Mrs M. Govan introduced the guest speaker, Dr E. B. Evans, president of Prairie View A and M College, who made the principal address. It was inspirational as he complimented the community on having built such a school with its equipment and facilities for the education of its youth.

Following the speech the glee club sang, "I Believe," with much beauty and fervor.

Mrs L. Lockart was mistress of ceremonies, Thomas E. Gray is principal.

THE SCHOOL'S FACILITIES

The school has 20 classrooms, a cafetorium which wil seat 500; a library that will accomodate 72; a book room; a conference room; a clinic; a work room, and several offices.

On the staff there are 20 classroom teachers; one speech therapist; one parttime librarian; a nurse; a physicala education instructor; a music instructor; a secretary; four on the cafeteria staff; two custodians; two bus drivers; an enrollment of 579 pupils with an average class load of 29. All classes are self contained except music and physical education.

ITS PROGRAM

The instructional program meets or exceeds all state requirements for elementary schools, according to its faculty. There is special education for the speech defective child: an extensive audio-visual aids program; a glee club and school band on the musical side; a physical education program, and a testing program.

Says Dallas Decision No Aid To School Desegregation Foes

Informer P.3

Sat 2-15-58

Houston Tex

NEW YORK — Contrary to a widely circulated interpretation, the recent ruling of the US Court of Appeals in the Dallas school case "does not mean that school authorities are free to do nothing about desegration," Robert L. Carter, NAACP general counsel, said last week in an analysis of the decision.

On Dec 27, the Court, sitting at New Orleans, reversed a lower court judgment which had required school authorities in the Texas city to begin desegregation at the opening of the school term in February. While this ruling delays desegregation of the Dallas schools, it imposes upon the lower court the obligation to enjoin the local school authorities from requiring segregation from and after such time as might be necessary to make arrange- children' to the schools on a non-discriminatory basis.

SUBMISSION OF PLAN REQUIRED

"All the decision means,' Mr Carter explains, 'is that the lower court must give the school authorities time to submit a plan for compliance and grant a hearing before setting a date for desegregation to begin. This has been the usual practice in most of the desegregation cases and is not necessarily in conflict with the spirit of the Supreme Courts decision."

Moreover, the NAACP general counsel points out, if the parents who are seeking non-segregated education for their children "are dissatisfid with the time which school authorities take in formulating a plan for desegregation, or find the plan unsatisfactory, they are free to go ir rt to request an orde iring the school authorit start the process of des ation by a specific date, or to show that the school board's plan does not constitute 'good faith' compliance."

DIFFERS FROM LITTLE ROCK

The decision, Mr Carter asserts, "will not be of aid to school authoriies elsewhere in delaying desegregation." Specifically, the observes, it gives no support to Gov Orval E. Faubus in his action at Little Rock.

There the school authorities submitted a plan which was approved and ordered put into operation by the federal court. ....In Dallas, on the other hand, the lower court, after the case was returned to it, did not require the local authorities to submit their own plan for compliance. In short, Gov Faubus was attempting to remove local responsibility for orderly desegregation, while the Dallas decision is an effort to fix initial responsibiity for orderly desegregation on local authorities where, indeed, it belongs."

White Teachers Pa[illegible] Negroes 'Peep' For Free

Informer P.1

Houston Texas

By CARTER WESLEY

HOUSTON — The whole Negro community is more angry and disturbed, over the school board's recent wholesale insult to the race, than we have ever seen them before.

Wherever a group of Negroes have been together, the thing has been discussed. It has been preached about in Sunday's churches and over the radio. The Informer has had innumerable telephone calls and several letters of protest and anger. It doesn't seem to be temporary anger, but seems to be deep and burning.

Sat 3 1 58

The object of this anger is a plan announced last week by Acting Superintendent Scarborough, speaking for the board, in which he said that one of the leisurely steps toward desegregation is a 3-year plan of upgrading Negro pupils; specifically, having white teachers instruct Negro pupils, while Negro teachers peep through a glass, through which they can see but cannot be seen, and cannot contaminate the white teachers who are with Negro children.

WITHOUT PAY

Since the published announcement, word has come down that Negro teachers, assigned to do the peeping from behind the cage, must attend those classes and do the peeping, and will do it without pay. They cannot be excused to go to summer school to complete courses that are ready to be finished, but must attend these peep sessions without pay.

Informer

Are the white teachers going to do this "superior training" of Negro children without pay? Can anybody imagine the school board demanding that white teachers give up their summers and time for free to teach Negro children, or that the school board would dare demand that of white teachers?

Sat 3-1-58

But the school board first casts the Negro teacher in a role of inevitable humiliation, and then follows that by daring to tell him that he must endure and accept that humiliation WITHOUT PAY! My, my, isn't segregation equal!

P. 8

WHY WHITE TEACHERS?

In the public school system of Houston there are Negro teachers who have studied in every one of the large universities in the nation, from Southern Cal through Colorado, Chicago Univ., Indiana, Cincinnati, on up through Columbia and as far away as Harvard. What have these white teachers got that Negro teachers haven't got for teaching these special "upgrading" courses?

There are Negroes in the Houston school system with Ph.D.'s and majors in all of the modern techniques and new courses in education, why are none of them chosen or eligible to teach these "upgraded courses??"

Did the white teachers get this superior ability out of the air, or did they go to special, competent schools? In three years time Negroes could learn more and better courses than they get from peeping through a glass, if they were permitted to go to the better schools to get such courses.

Now it is a little funny for the school board to refuse to let teens play against Negroes, to stop letting teachers meet together at institutes, etc; to put up a bar to keep Negro teachers away from white teachers, who are teaching Negro children, but put these charming white ladies in with Negro children, who are also black and partake of all the undesirable qualities of teachers, of players and others that have been excluded. How consisten is segregation!

OUTSMARTS SELF

It looks like the school board has finally outsmarted itself. (1, It has made itself definitely vulnerable to a proper application of the Supreme Court's decision requiring desegregation. (2) It has riled the Negro community to such a pitch that they are almost sure to insist upon taking the case back to court, and to refuse any compromise on the issue at all.

Next issue we will talk of legal proceedings up to now in this school case and of possible procedures from now on.

Riled Up Over Houston Scheme

Call P.4

Fr 3-21-58

Kansas City, Mo.

HOUSTON, Tex. — (NNPA) — Colored citizens here are plenty riled up and have labeled as an insult the Houston School Board's announced plan of "compliance" with the Supreme Court's order to integrate public schools "with all deliberate speed." Acting Superintendent G. C. Scarborough recently announced the board's ingenious plan which colored citizens are resenting so fiercely.

The program calls for a three-year plan of up-grading colored pupils by having white instructors teach them while colored teachers observe secretly through a one-way glass wall.

The white teachers will be paid. The colored teachers will peep for free.

The concensus of the colored populace is in conformity with the opinion of Carter W. Wesley, publisher of the Houston Informer. Mr. Wesley, in a copyrighted story last week, declared:

"There are Negroes in the Houston school system with Ph.D.s and majors in all of the modern techniques and new courses in education. Why are none of them chosen or eligible to teach these 'up-graded courses?'

"Now it is a little funny for the school board to refuse to let teens play against Negroes, to stop letting teachers meet together at institutes, to put up a bar to keep Negro teachers away from white ers who are teaching Negro , but put these charming adies in with Negro children also are black.

'But it looks like the school board has finally outsmarted itself . . . It has riled the Negro community to such a pitch that they are almost sure to insist upon taking the case back to court and to refuse any compromise the issue at all."

Disgust, dislike, distaste and a school board 'bubu'

Afro American P. 9

Baltimore Md

Sat 3-8-58

14 AD

HOUSTON, Texas (NNPA)— Colored citizens here are plenty riled up and have labelled as an insult the way the Houston School Board plans to comply with the Supreme Court's school integration decree.

Acting School Supt. G. C. Scarborough recently announced the board's plan which has received much resentment from colored citizens.

The program calls for a three-year plan of up-grading colored pupils by having white instructors teach them while colored teachers observe secretly through a one-way glass wall. The white teachers will be paid. The colored teachers will peep for free.

THE CONCENSUS of the colored populace is in conformity with the opinion of Carter W. Wesley, publisher of the Houston Informer. Mr. Wesley, in a copyrighted story last week, declared:

"There are colored teachers in the Houston school system with Ph.D.'s and majors in all of the modern techniques and new courses in education. Why were none of them chosen or eligible to teach these 'up-graded courses?'

"Now it is a little funny too that the school board refuses to let teams play against colored and bars colored teachers from white teachers but yet allows these charming white ladies to teach colored children."

"It looks like the school board has finally outsmarted itself. . . It has riled the colored community to such a pitch that it is almost sure to insist upon taking the case back to court and refuse any compromise on the issue at all."

To Secretly Watch While Whites Teach Negroes

Call P. 1

Kansas City Mo.

14 AD

HOUSTON, Tex. — A new method to "prepare" Negro school principals, teachers and pupils has been introduced in this southern metropolis.

A new school building is being designed here which will permit groups of Negro teachers and principals to watch secretly through a one-way mirror as white supervisors instruct Negro pupils.

Fr 2-28-58

This plan is described as one which will raise "substantially" the level of pupil achievement within the next three years. It will also allow the Negro school teacher to "come up" to par with their white counterparts.

School Board Calls

Informer

'Classes For Negroes Only' Desegregation

Houston Tex

Sat. 2-22-58

P. 8

HOUSTON - The Houston School Board, Monday decided to begin its first step toward integration by 'not desegregating the schools' but merely holding special classes for 'Negro pupils only' this summer. The board plans to operate what they call a Four-point upgrading program. Pupils from the first through sixth grades will be taught by white supervisors. Secretly observing the pupils will be Negro teachers and principals through a one-way mirror.

14 AD

For these classes a temporary building will be constructed at the G B M Turner Elementary school, 3200 Rosedale and classes will be held from June 4 to July 22. Acting Superintendent of Schools G C Scarborough said the program was recommended two years ago after a study revealed that in SOME CASES. Negro pupils were as far as three grades behind whites. The difference in learning levels has been the board's 'biggest defense' for delaying segregation.

Beginning in the fall both Turner and Atherton Elementary will be used as observation schools. The overall cost of the prorgam is estimated at about $10,000. The program could be considered a "dig" at the ability of Negro teachers

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Teacher On 'Peeping' Plan

Informer P. 1

Dear Mrs Dyer:

In answer to another erroneous statement concerning the Negro teachers that you have made:

You said that the Negro **teachers of Houston** are not capable of participating in this mockery of upgrading the Negro teachers. I would like to know upon what grounds you base your evidence.

14 AD

Houston

Tex

1. First of all, neither you nor most of the board members actually know what goes on in the Negro schools. We have every evidence to believe you do not even care.

Secondly, if you say you have gathered your information from the Negro principals, most of them, especially the most inefficient ones, are a part of the Mills and Petersen regime. Many principals are hired because they are from Hempstead and when they retire recommended another principal like themselves.

Sat 3-29-58

Other inefficient principals are **held in** because they canvas votes for the election of certain board members

If you received your information concerning the ability of the Negro teacher from the white supervisors, most of them do not like Negroes. Then plenty of them have not had any better training than many of the Negro teachers.

P. 8

The Negro supervisors, up to this date in Houston, have been negative in leadership because they felt and knew the superintendent and some of the board members wanted them to be.

Informer

You also made this statement that you would keep the $10,000 which you were to pay the white supervisors to perform this upgrading of the Negro teachers, while the Negro teacher breaks his or her neck peering through a glass. This will not be the first time Houston board members have taken from Negro teachers.

You have spent $100 per day out of taxpayers money for consultants for white teachers and completely refused to have the Negro teachers hear these consultants. You demand a score of 550 for whites and only 450 for Negroes.

14 AD

Texas

You spend more per capita for white children in Texas than per capita for Negro children.

Sat 3-29-58

If you would sincerely want to improve Negro education in Houston, you would do the following things:

1. See that Negro principals attend some A rated schools of administration immediately, beginning this summer, and demand that they go at least every three or four summers.

2. Visit the Negro schools, or secure people who are not prejudiced to visit and report their actual findings. They would see how Negro children are taken out of their classes to attend money raising activities, which is unfair to the child. They would further see how Negro principals use teachers to do their work and secretarial work when these teachers ought to be teaching the Negro children.

3. Hire capable supervisors whether they are Negroes or whites. No whites, however, can understand the Negro child as well as the Negro. Stop permitting the principals to select or name counselors in Negro schools on whims.

4. You cannot improve Negro education with young inexperienced teachers in the junior and senior high schools. Most of our secondary schools are filled with young teachers. Yet when **your** positions in **your** high schools are filled you select someone who has made good in some elementary school.

Finally, how can the board upgrade when it needs upgrading itself? What good will it do the board to spend $10,000 to upgrade a handful of Negro children?

No, keep the money, it will be more than wasted. We will thank you if you do not waste it in this wild goose chase.

We have Negro graduates teaching in the system from Howard University; Fisk University; Atlanta University; Tennessee State; University of Michigan; Columbia; University of Colorado; University of Pittsburg and many of the top schools which rank well over the country.

Why don't you give them a trial?

Spend a day in a Negro school. It will surprise you.

(Signed) A TEACHER

Texas School Board

Candidates See Integration Of Teachers Near

14 AD

CORPUS CHRISTI — Candidates for the school board here have expressed the belief that integration of Negro teachers into the school system is inevitable.

The Informer

P. 1

Fourteen candidates gave their views on various issues here on March 19. It was reported that their answers to questions varied little.

Sat 4-12-58

They agreed that study and careful planning should be applied to integrating Negro teachers and they agreed also that the manner in which student integration has been carried out in the local public schools is praiseworthy.

Houston, Tex

The previous week, several Negroes had asked the school board to consider teacher integration.

DALLAS SCHOOL RULING UPHELD

Dismissal of District's Suit Confirmed

14 AD

The United States fifth circuit court of appeal Friday threw out of federal court an action brought by the Dallas, Tex., independent school district in which it sought a ruling on a conflict between federal court integration orders and recently enacted Texas laws.

The school district asked for a declaratory judgment to clarify its position in respect to the ruling by the federal courts that the Dallas schools must desegregate "with all deliberate speed," and state laws which would withhold state funds if the schools are desegregated without approval of the electorate and provide other penalties.

Picayune P. 13

DISMISSAL UPHELD

In an opinion by Judge Elbert Tuttle, concurred in by Judges John R. Brown and John Minor Wisdom, the court of appeals upheld the suit's dismissal by District Judge William Atwell of the northern district of Texas.

Sat 5-24-58

"There is obviously no justifiable controversy stated here," the opinion stated.

It held that the school district cannot assert a claim against the state, since "all school districts are subject to the plenary power of the legislature."

New Orleans

La

The dismissal of the suit in the district court was required, the opinion held, both for want of federal jurisdiction and for failure to state a cause of action for declaratory judgment.

CALLS FOR ELECTION

One of the Texas laws which was enacted after the federal ruling on desegregation required that before the dual school system could be abolished an election would have to be called upon the petition of at least 20 per cent of the qualified electors of the school district in question.

The law also provides that any district guilty of violation be ineligible for accreditation and for state school funds, and any person violating the law be guilty of a misdemeanor and be subject to a fine of from $100 to $1000.

Another Texas statute provides for transfers of pupils within a particular school district, but not based on racial lines.

The action by the Dallas district was against J. W. Edgar, Texas commissioner of education; Robert S. Calvert, state comptroller of public accounts and Jesse James, state treasurer.

14d(1) 1958

TEXAS

Reaction To Dallas Edict Mixed

DALLAS, Tex. — (INS) — The reversal of a U. S. District Court order to integrate Dallas public schools late in January received a mixed reaction in Dallas from school officials and Negro attorneys.

School officials given a "reasonable further opportunity to meet their primary responsibility" of integrating by the Fifth U. S. Court of Appeals in New Orleans, termed the decision "favorable."

Dr. Edwin L. Rippy, school board president, said the court of appeals decision is "in line with the original Supreme Court decree."

Rippy added the school board "will give its plans for future integration in early summer."

Rippy and Dr. W. T. White, superintendant of schools, have withheld any announcement of definite integration plans despite frequent requests for the information — during the past three months.

ALLOWS MORE TIME

White was openly pleased with the decision saying it allowed more time to integrate the schools and that this "would be conductve to orderly procedure."

Dallas Mayor Robert L. Thornton and Texas Attorney General Will Wilson were unavailable for comment but NAACP Attorney U. Simpson Tate, spokesman for the Dallas school integrationists, simply said "That's it. The hand that moves has writ."

Defender P.3
Sat 1-4-58

C. B. Bunkley, another attorney for the 28 Negro plaintiffs who filed suit for admission to the schools in 1955, said he would make no comment until he had read the full text of the court's decision.

Chicago, Ill.

Observers in Dallas believed the next most probable step for the plaintiffs would be to file petition to the Federal District Court for an order requiring schools to integrate next September.

School Mixing Plan Hits Snag

By PAT J. McDONNELL

NEW ORLEANS—(INS)—A U. S. Appeals court stepped in to halt de-segregation of Dallas, Tex., schools which had been ordered for the January term.

At the same time, the Appeals court at New Orleans tossed out as too broad, the Texas court order that schools stop "permitting segregation."

The Appeals court, in the case involving the board of trustees of the Dallas special school district, did not disturb its earlier instructions that school officials be required to end forced racial segregation.

Defender P.1

But the court held that the order to effect integration at the beginning of the mid-term was not in accordance with its decisions or those of the U. S. Supreme court.

Sat 1-4-58

The opinion was the second by the U. S. Fifth Circuit Court of Appeals in the Dallas school controversy. Earlier the court had ordered the District Court to proceed to obtain compliance with principles of the U. S. Supreme Court decisions of 1954 and 1955.

Chicago, Ill.

The Texas district court, however, without holding further hearings, issued the order barring school authorities "from requiring or permitting segregation of the races . . . beginning and not before the mid-winter school term of 1957-58."

The appeals court found double fault in this order. The immediate deadline was not required, the court said, and the order was too broad in trying to stop the board from "permitting segregation."

The Appellate court decision restated these principles in the matter of school segregation cases:

The U. S. Supreme Court decisions do not compel mixing of the different races, but do require that no child be denied admission to school on the basis of race or color.

School authorities have the first responsibility of working out plans to effectuate the principles of the U. S. Supreme Court decision, and a district court should exercise its own judgment and discretion, in determining the "deliberate speed" and "good faith" provisions of previous decrees.

The lower court in Texas at first had dismissed the suit of Negro children, but the appeals court overturned this decision. The district judge then, without further hearings, and under the impression he was ordered to do (so) by the higher court," set mid-term as time for de-segregation. The judge also ordered school authorities to cease "permitting segregation."

Defender P.2
Sat 1-4-58

The appeals court said the prohibition against "permitting segregation of the races," might indicate "a serious misconception of the applicable law." The original appeals court mandate, the opinion pointed out, "had been carefully limited." To order a halt to "requiring segregation of the races."

Chicago, Ill.

The court then cited the opinion in the Arlington, Va., case, whic' has been before the courts for four years, which declares the U. S. Supreme Court decisions "do not compel the mixing of the different races."

Forward, Halt

Advertiser Montgomery
Ala.

U.S. District Judge W. H. Atwell of Dallas seemed as amazed as others when the U.S. Fifth Circuit of Appeals reversed his order that Dallas schools should integrate this month.

P.4A

Judge Atwell, 88, will retire in July. Twice he had denied Negro petitioners an order opening Dallas white schools to them and twice the Circuit Court of Appeals had overruled him, ordering him to integrate "with all deliberate speed," as the Supreme Court had directed.

Tues 1-14-58

Finally bowing to the appellate court's demands, Judge Atwell ordered Dallas schools to mix it up, setting this month as the date. But, curiously, this time the Court of Appeals reversed him with the criticism that he was going too fast, whereas before it had reversed him for going too slow.

Despite his age, Judge Atwell's confusion seems not entirely senile. What happened, apparently, was that the Court of Appeals learned, after the two reversals, a little something of the depth of Southern resistance and was finally convinced that delay might, after all, be the better part of judicial valor.

Judge Atwell commented:

> My personal feeling about segregation is that it is neither immoral nor unconstitutional. I have lived practically all my life in Texas and have had the pleasure of witnessing the progressiveness of good feelings between the white and colored population. I have witnessed the building and furnishing and teaching in the Negro schools on the same basis and with the same comforts and efficacy as in the white schools.
>
> I refused upon two occasions to give judgments for Negro students who sought by suit to enter the white schools, after being denied by the superintendents of the white schools. Both of these cases were reversed by the Circuit Court of Appeals and its mandate ordered me to integrate with all deliberate speed.

When he obeyed, he was reversed and Senior U.S. District Judge T. Whitfield Davidson of Dallas said he, not Atwell, would probably hear the next round.

Apparently Judge Atwell is either too fast or too slow, depending on which appellate decision you read.

Houston Negroes Protest Teacher Observation Plan

Advertiser

HOUSTON (AP)—Five mass meetings were held Monday night by Negroes protesting a plan under which the Houston School Board would have Negro teachers observe other teachers conducting classes this summer.

P. 16A

The Harris County Council of Organizations, composed of representatives from about 60 Negro clubs, said the plan was an insult to Negro students and teachers.

The Council and the Negro Baptist Ministerial Alliance called the meetings to protest what it called the "peek-teach plan." The five meetings were held in Negro churches.

Montgomery Ala.

Charles R. Nelson, assistant superintendent of elementary schools, said about 30 or 40 Negro teachers would observe well qualified Negro teachers instruct Negro students at a special seven - week school.

Later this year white and Negro teachers would observe classes being conducted by sitting in one room and looking into the classroom through a one-way mirror. These special rooms would be built at several Negro and white schools.

Nelson said the purpose of the observation rooms this summer was to show Negro teachers more advanced methods of conducting class.

At a hearing last year, Dr. Alexander Frazier, former assistant superintendent of the school system, testified Negro teachers were not as well prepared as white instructors.

At the hearing the School Board asked Federal District Judge Ben C. Connally to delay integration until what it called "this deficiency" could be remedied. The court, in effect, granted the delay because Connally did not set a date for integration but merely ordered that the schools must integrate.

Several classes for about 180 Negro students in the first to the sixth grades are scheduled to start June 4 and last seven weeks. The students would attend on a voluntary, tuition-free basis.

The Council said it would appeal to the Negro parents to desist from sending their children to any school where such a plan would be inaugurated.

It said it would "take a firm stand against any plan which resumes the paternalism of the plantation days and which destroys the confidence and respect that Negro teachers have."

Beginning with the fall semester two Negro schools will be utilized as observation schools. Supervisors would demonstrate good classroom procedure and improved teaching techniques in reading.

Nelson said similar special classrooms would be set up in white schools and all new teachers would be required to go through an in-service training program.

Dallas Decides To Shun Mixing

News P. 1

DALLAS (AP) — The Dallas school board, beset on two sides and bogged down in a legal morass, said Wednesday night its schools will remain segregated in the coming school year.

Jackson Miss

It pointed toward an apparent conflict between the U. S. Supreme Court's ruling against school segregation and Texas integration laws.

Thurs 6-26-58

"The board is convinced that it would be a poor service to Dallas and to the large area of the Southwest which may follow the Dallas lead to undertake the activation of the Supreme Court decree until federal and state courts reach some legally acceptable unanimity of opinion," said the board's statement.

Conjured Equality

Advertiser P. 4-A

Wed. 4-30-58

Montgomery Ala.

Tests in Houston public schools during the past few years indicate that by the time the average Negro pupil reaches the 7th grade, he has fallen about three years behind the learning level of the average white child.

To meet the impending threat of court-ordered integration, Houston will open a "laboratory schoolroom" June 4 to find out how, if possible at all, to accelerate Negro learning and thus avoid the disastrous effects on public education which will result from forced mixing.

Mrs. Frank G. Dyer, chairman of the Houston school board, said: "There can be no hope for the success of integration in the Houston public schools unless we can somehow bridge the gulf in learning achievement between white and Negro children."

The local NAACP's reaction was as might have been expected: "This so-called upgrading program is a complete farce — just another game of hide & seek with the community . . . Another attempt to delay desegregation as long as possible."

The Houston tests have been borne out by similar ones in Atlanta and Miami, but the NAACP refuses to accept any solution for the Negro's educational problems but immediate race-mixing, no matter what the cost to children of both races.

Stripped of its sociological trappings, such insistence is hardly more than a belief in magic.

U. S. Court Tells Dallas to obey state race laws

News P. 1

Sat 5-24-58

Birmingham Ala.

NEW ORLEANS, May 23 — (AP) — The Dallas, Tex., School Board, torn between federal and state authority in litigation over integration, is right back where it started.

The U. S. Fifth Court of Appeals here Friday told the school board, in effect, that the Texas Legislature, not federal court, was their mentor. The appellate court threw out a suit in which the school board wanted to know where it stood between the Supreme Court's school-integration decision and Texas law seeking to circumscribe the federal ruling.

ONE TEXAS LAW provides for local option election to determine continuance or abolition of a dual school system in each district in the state. A district in violation of that law would lose state financial support and the schools of the district would lose their accreditation.

If Dallas schools are desegregated the district would lose about $1½ million in state funds school attorneys argued, and pupils would be penalized by losing credits they had earned.

Attorneys argued that the school district, like a person, would be deprived of its civil rights.

The case first went before U. S. District Judge William H. Atwell of Dallas. The 88-year-old Wisconsin-born jurist dismissed the suit, which was directed against the state commissioner of education and other state officials.

IN THE APPELLATE court, Judges John R. Brown of Houston, Elbert P. Tuttle of Atlanta, Ga., and John Minor Wisdom of New Orleans, affirmed the ruling of the Dallas judge.

The school district itself, the tribunal said, admitted that "all school districts are subject to the plenary power of the legislature. The appellate judges cited precedents that whatever the legislature has power to do it also has the authority to undo. The school district did not attack the constitutionality of the Texas laws, and they could not expect relief under civil rights, the tribunal held.

At Dallas, Dr. Edwin L. Rippy, president of the Dallas School Board, said the decision "is not too helpful."

Rippy said their only recourse was to file another suit in state courts, and the district's schools will not be integrated until the legal questions are settled.

Dallas Will Continue With Segregation

Home

P. 1

DALLAS (AP)— The Dallas school board, beset on to sides and bogged down in a legal morass, said Wednesday night its schools will remain segregated in the coming school year.

Jackson Miss.

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Thur. 6-26-58

"The board is convinced that it would be a poor service to Dallas and to the large area of the Southwest which may follow the Dallas lead to undertake the activation of the Supreme Court decree until federal and state courts reach some legally acceptable unanimity of opinion," said the board's statement.

The board also authorized its attorney to start action in state courts to solve the legal problems.

The U.S. 5th Circuit Court of Appeals on July 23, 1957 ordered the Dallas district integrated. It did not set a deadline.

The school board contends it cannot comply with the decree without violating a law passed by the Texas Legislature.

The law says a school district cannot integrate without approval in a local option election. If it does, it shall lose state funds and accreditation and authorities shall be fined. No such election has been called by Dallas voters.

14d(1) 1958 VERMONT

Catholic Schools Take Kids Free

14d(1)
Vermont

MIDDLEBURY, Vt. — Six Negro children enrolled in a Catholic elementary school here last week because they did not have the tuition for public school.

Finance, not race, bars some children of migrant apple pickers from the schools of Addison county.

Father John P. Mahoney of St Mary's parochial school, Middlebury, said he admitted the children free of charge after their parents told him they could no afford five dollars per week tuition.

None of the children are Catholic.

Tuition was asked by public school directors in the town o Cornwall, where 26 itinerant apple pickers from Florida work in the orchards. The directors explained that non-residents can only be admitted on a private tuition basis.

Father Mahoney stated that since St. Mary's had room the children were welcome. The school will also supply hot lunches, he said.

About 300 pupils attend St Mary's.

Defender
p. 1
Chicago Ill.
Int.
10-11-58

14d(1) 1958

VIRGINIA

2 White Pupils in Move To Close Negro Schools

'Tit for Tat,' Says Arlington Segregationist

Evening Star
Washington
D.C.

Two Arlington white students have applied for admission to colored schools in an effort to close down the schools this fall.

Thurs. 7-24-58

Mothers of the two students registered their children yesterday at the County School Board office. They were accompanied by Jack Rathbone, executive director of the Arlington Chapter of the Defenders of State Sovereignty and Individual Liberties.

P. A 19

Mr. Rathbone threatened several weeks ago to have white students apply for colored schools. He said the registration was made yesterday because of the August 1 deadline set Tuesday by the School Board on applications for transfer.

Several white schools in Arlington appear likely to close this fall if some of the 33 Negroes seeking transfer to them are admitted. Under State law, an integrated school is closed automatically.

Tit for Tat

"It's just plain tit for tat," said Mr. Rathbone. "If they cause the white schools to close, we are going to see that theirs are closed, too," he said.

One of the women was Mrs. Marian Gatterman of 5200 block of North Twenty-fifth place. She signed a placement form for her 7-year-old son, Ronald, and requested he be assigned to Langston Elementary School, which is colored.

Mrs. Gatterman, who said her son has not gone to public schools before, said she is a member of the Defenders.

The second woman, who declined to identify herself to reporters, asked that her 13-year-old daughter, who has been attending a white school, be assigned to Hoffman-Boston Junior-Senior High School, also a Negro school.

School officials said the placement forms would be forwarded to the State Placement Board for processing just as has been done with Negroes applying for enrollment in white schools.

Permits Held Up

Meanwhile, Mr. Rathbone was told by county officials that special use and occupancy permits will not be issued for a proposed private school at 2043 Wilson boulevard unless county inspectors are allowed to inspect the building.

Mr. Rathbone refused to admit the six county inspectors Tuesday when they came to look over the private home which the 10th District Educational Corp. plans to turn into a private segregated school. The organization of which Mr. Rathbone is acting secretary, is attempting to set up private schools over the county for students of white schools which may be closed this fall.

County Manager A. T. Lundberg said the private schools would have to meet building, safety and health regulations "just the same as any other private school." Mr. Rathbone says the school should be exempt from county regulations.

State License Sought

A letter from Zoning Administrator William Kennedy told Mr. Rathbone: "You are hereby advised that until arrangements are made for the required inspections and the issuance of the certificate of occupancy and use permit . . . the operation of a school . . . will not be permitted."

Mr. Rathbone said he had asked the County Commissioner of Revenue to issue a State license for the school. Commissioner George Fischer said, however, that no "revenue license" is needed for the school, but said he does not know if any other type of State permit is necessary.

Mr. Rathbone said a State fire inspector from Alexandria appeared yesterday and was allowed to inspect the premises. He said he assumed the inspection had "something to do" with his application for a State license.

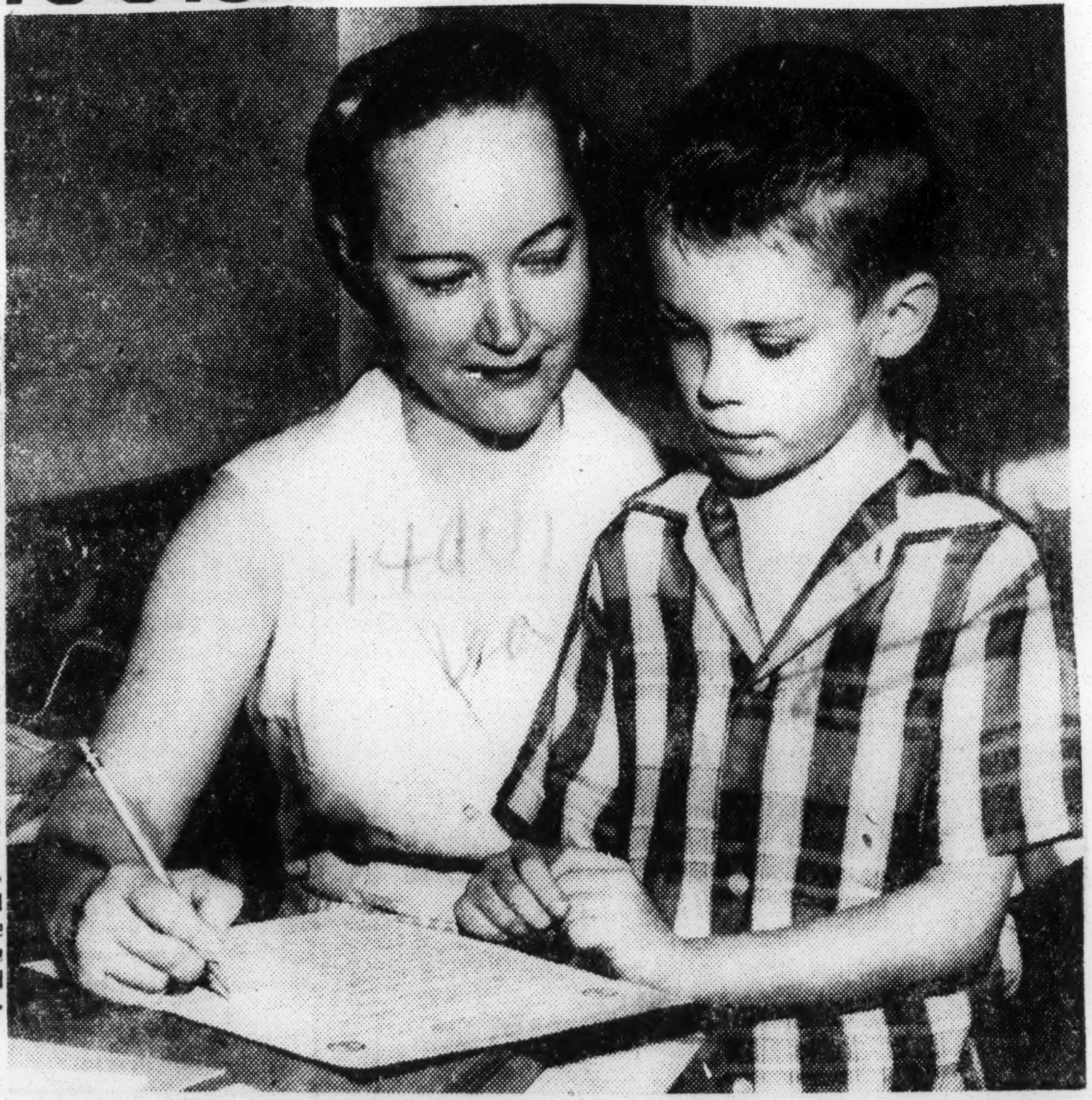
Permits Inspections

Mr. Rathbone permitted inspectors from the State Fire Marshall's office and the county electrical and fire departments to inspect a proposed private school building at 2043 Wilson boulevard.

Mr. Rathbone had refused to admit county inspectors Tuesday when they came to look over the private home which the Tenth District Educational Corporation plans to turn into a private segregated school.

Mr. Rathbone had been warned by county officials that special use and occupancy permits for the proposed school would not be issued unless the county were allowed to inspect the biulding.

County Manager A. T. Lundberg said other inspections will be made today. Mr. Rathbone had protested that the private school should not be required to comply with county regulations.



14d(1)
Va

ARLINGTON SEGREGATION MANEUVER—Mrs. Marian Gattermann of the 5200 block of North Twenty-fifth plcae, Arlington, signs a pupil placement form for her 7-year-old son Ronald, seeking his enrollment in the all-Negro Langston Elementary School. She was one of two white mothers who filed such applications yesterday in a move to close colored schools.—Star Staff Photo.

Private School Plan For S.C.

News & Courier

By ANTHONY HARRIGAN

(Anthony Harrigan, an editorial writer for The News and Courier, is visiting Virginia communities affected by the school crisis.)

Charleston

S.C.

11-8-58

P. 8-A

ENROUTE TO LYNCHBURG, VA. The bus I am riding in turns from left to right, suddenly accelerates and grinds almost to a halt, as the driver guides it over the narrow roadway alongside the gorge the James River cuts through the mountains. It is a dizzying ride, full of spectacular views and fearful moments as the bus seems in danger of crashing through the wooden guard rail.

The South is like this bus and all the people of the South are like the passengers in it. They are moving over spectacular terrain that contains perils at every turning of the road. Southerners, too, are depending on their drivers—the leaders in their states and communities.

HERE IN VIRGINIA, the passengers are in safe hands. Sen. Harry Byrd, Gov. J. Lindsay Almond, the press and local leaders clearly have the determination to lead Virginians through the school crisis. They may seem to be shifting gears more often than usual, but they clearly know what they are doing.

SOUTH CAROLINIANS may need some driving lessons if they are to successfully negotiate the road ahead without smashing the vehicle of their society.

There are two big signposts in Virginia that should alert South Carolinians traveling the same road as the people of this commonwealth.

The first warns that the federal courts won't let a state go out of the school business on a piecemeal basis — school district by school district.

At least that's what this reporter gathered from listening to the comments of a three - judge federal court in Norfolk last week. Though the federal court hasn't ruled on Virginia's school closing law, the indications are that it will say: "If you want to get out of the school business, you will have to get out completely — in every school district."

The second signpost announces that Virginia already has started to develop a system of private schools. The private educational foundations set up in Charlottesville and Front Royal serve as pilot models for communities elsewhere in the state and the South.

THESE SIGNPOSTS warn South Carolinians that they are approaching a fork in the road. They will have only two choices: (1) take the left fork to integrated public schools or (2) take the right fork to private schools established and maintained without direct state action.

It seems inconceivable that South Carolinians would turn left to integration. A pupil assignment plan wouldn't work in the Palmetto State, even if there were a desire to accept one, because the Negro population is too big.

Another thing seems equally clear: well - to - do and middle income white families will send their children to private school if integration is threatened. Large numbers of whites in Charleston today already send their children to private and church - supported schools.

THE ONLY QUESTION, then, is whether the financially responsible elements in South Carolina will help less fortunate citizens send their children to private schools. It seems inconceivable that they will fail to assume this responsibility.

There may be some opposition to South Carolina's getting out of the public school business, if and when the necessity arises.

In Virginia, opposition to private schools has come from professors in the University of Virginia's School of Education, "liberal" clergymen who place public schools on a plane with Christianity, and assorted enemies of a segregated society.

Radical influence is small in South Carolina. It seems evident that the voice of the people won't be hushed by any minority that sympathizes with forces seeking the destruction of the South.

WHAT SHOULD BE DONE

Leasing would make classrooms and equipment available to a private educational foundation upon demand and without the interference of the federal courts.

THE NATION is talking about a revolution in the methods of education.

Teaching with television, expanded bookmobile service, mobile science laboratories, the establishment of laboratory facilities under private auspices in towns and cities, the use of science film libraries, the creation of a program of scholarships, open to all on a basis of need; the use of visiting teachers — circuit riders, so to speak — all these and other methods and programs could be assessed by a statewide private educational foundation.

NOTHING IS IMPOSSIBLE when people have the will to create what is needed.

South Carolinians can develop an excellent system of private schools that all students can afford to attend.

The system might lack giant educational plants. But there is no reason for the quality of education to suffer.

Indeed with a switch away from a philosophy of education that stresses buildings over intellectual quality, the state could enjoy an experiment in schooling that would sidetrack the trouble over race and prove of value to the entire nation.

NOW? How are South Carolinians to prepare to get out of the public school business?

What the Palmetto State needs is a South Carolina educational foundation, a wholly private organization composed of leading and representative citizens.

Such an organization could properly initiate a comprehensive study of how private schools might be established and financed.

South Carolina needs a master school mobilization plan.

Under such a plan, every county in this state would have a private school program ready to go into effect the minute a federal court ordered integration.

A TREMENDOUS AMOUNT of planning is needed. The most important questions concern finances. Tax rebates, company payroll deduction plans, business and union contributions, tax exemptions for individuals and corporations which give money to educational foundation—all these and other methods should be studied.

A South Carolina educational foundation could assemble a county-by-county list of classrooms and school equipment available.

It might propose to the Governor and the General Assembly that school equipment and new buildings be leased from private individuals, instead of purchased.

This is a plan the federal government has adopted for small postoffices.

News & Courier

Va.

Court Testing Race Laws Subpoenas Parents Who Sought Desegregation

Post

Washington D.C.

Fri 11-7-58

P. B6

Parents who pressed for school desegregation in Arlington, Charlottesville and Newport News, have been subpoenaed by the State of Virginia to testify in a state court test of two anti-NAACP laws.

The hearing on the validity of the laws is scheduled to begin Monday in Richmond Circuit Court. The parents have been ordered to be in court Tuesday morning.

A total of 27 parents were subpoenaed: 11 from Arlington, nine from Newport News and seven from Charlottesville. The subpoenas were obtained by Henry T. Wickman, Richmond attorney retained by the state to defend the laws.

The two laws were among a package of five enacted by the special anti-integration session of the General Assembly in 1956. The package was aimed at curtailing the activity of the National Association for the Advancement of Colored People, especially in school desegregation suits.

The NAACP attacked the legality of the package before a three-judge Federal court last year. The court threw out three of the laws which required the NAACP to register its membership and contributors with the State Corporation Commission and prohibited organizations from "stirring up" litigation.

The State has appealed that decision to the U. S. Supreme Court which has agreed to review it.

But the three-judge court took no action on the remaining two laws, stating they were too ambiguous to adjudicate. It withheld any decision until a tSate court ruled on them.

The NAACP instituted action contesting the two laws in the Richmond Circuit Court which scheduled the trial for next week.

These laws define the offense of "running and capping," set up penalties for lawyers found guilty of it, and prohibit persons from "inducing" others to launch racial suits.

By subpenoing certain parents involved in desegregation suits prosecuted by the NAACP, the state apparently will try to show they were "induced" to press for desegregation.

In Norfolk, meanwhile, Attorney General Albertis S. Harrison said he would ask Chief Judge Simon E. Sobeloff of the U. S. Fourth Circuit Court of Appeals to postpone a case seeking the reopening of the city's six secondary schools.

A group of white parents in Norfolk have asked a three-judge court to declare the state law which closed the schools invalid and a hearing has been scheduled for Nov. 19.

Also, Gov. J. Lindsay Almond gave the go-ahead for Norfolk's closed high schools to play their basketball, wrestling, swimming and indoor track schedules this winter. He previously had approved the continuance of football in the schools.

Va.

'Squeeze' Feared In Arlington on Pupil Assignment

Post
Washington D.C.
Mon 9-8-58
P. B1

By John Lawson
Staff Reporter

Some members of the Arlington School Board, under growing pressure from State officials to resist court-ordered integration, feel they are about to be caught in a squeeze between Gov. J. Lindsay Almond and the Federal courts.

The Board's dilemma is that Almond's new position on school desegregation directs it not to assign any Negro pupils to white schools, even in the teeth of Federal-court orders.

The governor's message, taken at face value, said Board member L. Lee Bean yesterday, "places the Board in a very untenable position."

The message, directed to school boards in Norfolk, Charlottesville and Arlington, was handed to the Arlington Board by a state trooper Friday after its 3-day desegregation hearing before Federal Judge Albert V. Bryan.

Bryan Deefrs Decision

Bryan will not hand down a decision until after the Supreme Court has acted in the Little Rock case, scheduled to be heard Thursday.

Board members agreed Friday that Almond's statement did not at present apply to Arlington because as yet there is no court-ordered integration. But they are admittedly concerned about the future.

Bean said yesterday that should Judge Bryan issue such an order, "the governor's statement, on its face, would force us to decide whether to obey the judge or the governor."

For that reason Bean said the Board would have to ask Almond for a clarification of his message.

In his message to the three boards Almond also said he was "deeply concerned" that the boards not open themselves to the charge of "thwarting the will of the overwhelming majority" of Virginians and thus bring themselves into "disfavor with the . . . General Assembly."

That poses the possibility, said another member, James G. Stockard, that any Board action considered contrary to the Governor's directions might bring political repercussions in the General Assembly.

Struggle In Schools Continues

News & Courier

Norfolk Loses Bid For Delay In Integration

P. 9
Charleston S.C.
Thurs 9-4-58

By THE ASSOCIATED PRESS

Racial integration went ahead quietly in several Southern schools Wednesday while legal maneuvers aimed at blocking this social change continued in segregationist strongholds.

The Norfolk, Va., School Board's plea for a delay in school integration until next year was turned down Wednesday by a U.S. district judge.

But Judge Walter E. Hoffman said he may reconsider if the U.S. Supreme Court grants Little Rock, Ark., a 2½-year delay in school mixing or grants a review of that case.

FOUR ACHIEVEMENT

In another Virginia case, a federal judge was told the applications of six Negroes to attend a white school in Arlington County was turned down because of low achievement.

Dr. Barnard Joy, school board member, told U.S. Dist. Judge Albert V. Bryan that was the reason for rejecting the six. He testified Wednesday at a hearing in Alexandria to determine whether 30 Negroes must be admitted to various white schools in the county, across the river from Washington, D.C.

The Arlington County School Board advised teachers that school openings, already postponed from Thursday to Monday, may be further delayed.

Virginia Schools May Be Closed

Commercial Appeal

Norfolk Admits 17 Negroes —Closing Automatic

Memphis Tenn

NEW LEGAL WAR LOOMS

Sat Aug 30-58

By The Associated Press

Virginia has joined Arkansas in the front lines of the South's struggle against public school integration by Federal Court order.

A showdown on whether Dixie's tradition of racial separation will be upended now, later or not at all is in the making in both states. It should come by mid-September.

P. 21

Closing Threat Potent

The most potent weapon brandished by the segregationists is a threat to close schools to ward off race mixing.

A Virginia test on this point moved a step nearer Friday at Norfolk. The school board there bowed to an 18-month-old United States Court order and assigned 17 Negroes to white schools for the session starting Sept. 8.

A Federal judge earlier had designated seven Negro pupils for enrollment Sept. 4 in white schools at Arlington, Va., a Washington suburb.

The pointed significance in both actions is that when Negroes are enrolled in a white school in Virginia the school automatically is closed by state law.

More Litigation Next

The next step might well be a new round of Federal litigation over this law, which has been enacted in similar form by several states. More of the delay for which Southern segregationists are battling could follow.

The Norfolk School Board at the same time asked United States District Judge Walter E. Hoffman to delay until September next year enrollment of Negro pupils. It said time is needed to prepare citizens and officials for "the profound changes."

Judge Hoffman made no immediate response. He indicated he would refuse the request unless the United States Supreme Court at its extraordinary session Sept. 11, permits a 2½-year delay at Little Rock Central High.

Virginia Sets Up Rules on Tuition

Washington Post

By Robert E. Baker
Staff Reporter

Washington D.C.
Sat-Aug-30-58
P. A1

The Virginia State Board of Education adopted stringent regulations for private schools yesterday as it established machinery for disbursing tuition grants for private, nonsectarian schooling of students in localities where public schools are closed, or for students whose parents object to their assignment to integrated schools.

The provision was originally part of the Gray Commission program which envisioned minimum compliance with the Supreme Court's school desegregation decree.

Constitution Change

Virginians approved a constitutional change to make the tuition grants legal in 1956 and the General Assembly enacted legislation. The rest of the Gray Commission program was shelved in favor of present "massive resistance" laws, including the law which requires the closing of integrated schools.

In setting up regulations for such private education, the State Board ruled that teachers in private schools which accept tuition grant students must meet the same requirements as public school teachers. The schools must have at least 20 children enrolled, hold classes for five hours a day for a school year of 180 days.

High school curricula must include four years of English, one of mathematics, two of history and government and one of science.

Grants to Be Local

The State Board provided that the grants will be made by the local school boards. In localities where all public schools close, the grants would be limited to the per pupil cost of operation of the public schools during the previous year, with a $350 maximum. The average per pupil cost in Virginia is $200.

When parents object to their children attending integrated schools, each grant would be limited only to the per pupil cost of public education during the previous year. In Arlington, facing desegregation this year, that amount is $378.

In no case could the grant exceed the tuition at the school.

The regulations were adopted over the objections of State Sen. Robert Button, Education Board member. He said the Board, as a public agency, might open the tuition grant laws to legal attack by setting up the regulations.

Negroes Win Court Test In Virginia

Constitution
Atlanta, Ga.
Tues. 9-9-58

United Press International

A federal judge Monday ordered the only high school in Warren County, Va., opened next week to Negroes.

In three other Virginia localities, where integration was sought for the current term, schools opened with white and Negro children still going to separate schools.

P. 1

In each case, the pattern could be upset by further court rulings in a matter of days. But casting a shadow over the Negroes' intense struggle for integration was the blunt state law that says any white school where Negroes are admitted shall be closed.

U.S. District Judge John Paul at Harrisonburg, Va., ordered Warren County to desegregate its high school at Front Royal and granted only a one-week stay which would give the State and County School Board time to file an appeal.

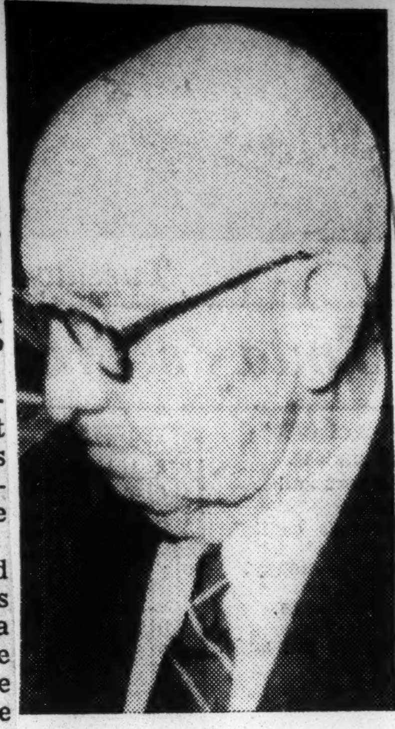
If the U.S. Fourth Circuit Court of Appeals refuses to grant a further stay, at least 26 Negro students involved in the case could apply for admission to Warren High next week. The Negroes have been riding buses 30 to 50 miles to schools in other counties.

In Alexandria, Arlington County and Richmond there was no breakthrough in the color barrier but federal judges made it clear that the arrangement was only temporary. Everything appeared to hinge on the Supreme Court's decision, possibly later in the week, on the integration stay granted Little Rock, Ark., by a circuit court.

In Arkansas, U.S. Dist. Judge John E. Miller Monday declined to give immediate injunctive relief to Negro students ousted from Van Buren High School by a white boycott.

He suggested that an attorney for the National Assn. for the Advancement of Colored People follow proper legal procedure by filing a new suit and seeking a temporary injunction at that time. The attorney indicated he would follow the judge's advice.

Thirteen Negro students have stayed away from voluntarily integrated Van Buren High since last Thursday when about 45 white students staged a protest strike.



JUDGE STUDIES CASES

U.S. District Judge John Paul

Tues. 9-9-58

NAACP regional counsel, U. Simpson Tate of Dallas, went to Harrison, Ark., where Judge Miller was holding court, to seek a temporary restraining order in the Van Buren controversy. The NAACP wanted the school board cited for contempt for failing to protect the Negro students enrolled in the 635-pupil Van Buren school.

Almost unnoticed because of the crises in Virginia and Arkansas, schools in Nashville, Tenn., began their second year of mixed classes, with the second grade joining the first grade in taking the big step. About 30 Negroes began classes in previously all-white grammar schools without incident.

The new back-to-school crisis included these other developments:

New Orleans — U.S. District Judge Herbert Christenberry issued a preliminary injunction to prevent discrimination against Negroes at the new branch of Louisiana State University in New Orleans. A Negro attorney said he would advise some 80 qualified Negroes to register for undergraduate work. Negroes are already attending the graduate school of LSU's main campus in Baton Rouge.

North Little Rock, Ark. — High school opened on segregated basis with police on hand. Crowds gathered on corners nearby after rumors were spread that Negroes would attempt to enroll as they did last year. No Negroes appeared.

Constitution

Virginia Loses Integration Fight

Supreme Court Refuses to Hear Arlington Appeal

P.

By the Associated Press

WASHINGTON, May 19. — Virginia today lost a last ditch effort to prevent seven Negro pupils from entering Arlington County white schools. The Supreme Court refused to consider an appeal.

The refusal opens the way for enforcement of an order by U.S. District Judge Albert V. Bryan of Alexandria that the Negroes be admitted to four white schools, and brings closer the threat that the schools may be closed under Virginia's anti-integration laws.

Mon. 5-19-58

Those laws say a public school must close if integration occurs. If the school manages to reopen on an integrated basis, state funds are to be shut off.

The Supreme Court's refusal to consider an appeal from Judge Bryan's order was noted in a listing of other petitions which the court also refused to consider.

The Arlington case developed into a test in Virginia's so-called massive resistance to integration.

Judge Bryan told the Arlington schools to admit the seven Negroes by last Sept. 23, but his order was held in abeyance pending appeals.

The U.S. Circuit Court in Richmond upheld Judge Bryan Feb. 12, causing Virginia and the county school board to make a final appeal to the Supreme Court.

Under Supreme Court rules, Virginia and the board have 25 days to ask for reconsideration of today's denial. Thus Judge Bryan's order probably will not be carried out—to the point of the Negroes seeking admission at the doors of the schools—until the new school term opens next September.

School Closing Law Faces Test

RICHMOND, Va. — (NNPA) — With the consent of Gov. J. Lindsay Almond, State Attorney General Albertis S. Harrison, Jr., has initiated a suit in state courts to test the legality of the school-closing, fund cut-off and tuition grant laws.

These laws were enacted at a special session of the Virginia General Assembly in 1956 and on them is pitched Virginia's program of "massive resistance" to the United States Supreme Court decision outlawing racial segregation in public schools.

P. 1

Mr. Harrison filed the suit in the Virginia Supreme Court of Appeals Saturday to test the validity of all three laws.

Tues. 9-16-58

Gov. Almond was consulted about the suit, Mr Harrison said, "and the proceeding is with his consent and approval."

Atlanta, Ga.

The surprise move could be intended to give Gov. Almond a chance to retreat from his position of no integration in Virginia public schools or to beat Oliver W. Hill, Naacp attorney, to the punch and get a state court interpretation of the anti-desegregation laws before Federal courts can pass upon them.

Mr. Hill indicated, after Almond ordered Warren County's only high school closed to avoid the admission of 22 colored students Monday

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Citizens Must Reopen Own Schools

WASHINGTON (ANP) — Responsibility for opening schools in Virginia and Arkansas, which were closed to avoid desegregation has been placed upon citizens of the respective communities by the Secretary of Health, Education and Welfare.

Courier
Pittsburgh, Pa.

At a press conference, Monday, Secretary Arthur S. Flemming reported that more than 16,000 students in 13 school districts have become "pawns in the school desegregation struggle. This, he said, "is a tragic circumstances" and a "waste of human resources."

Sat. 12-13-58

The Secretary, therefore, urged citizens of these communities to open schools closed in the face of desegregation orders. He contended that the localities should insist that they be opened "in harmony with the decisions of the Supreme Court."

■

P. 10

THE CLOSED schools have now passed the deadline when it is impossible for students to complete the recognized minimum school year by June 30, reported the HEW Secretary.

Studying during the summer months in an effort to make up lost time could involve additional payments of teachers salaries, he continued.

NEWPORT NEWS GETS INTEGRATION ADVICE

New York Times

NEWPORT NEWS, Va., Nov. 28 (AP)—A Federal judge told the Newport News school board today that Federal school desegregation laws must be complied with and that the board "should get its house in order."

Judge Walter E. Hoffman's statement came at the conclusion of a hearing on a suit brought by ten Negro pupils asking desegregation of public schools in this city.

New York, N.Y.

The school board has asked dismissal of the suit on the ground that it no longer had the power to assign pupils to schools. It said this was now a state function under the laws of Virginia.

Sat. 11-29-58

Judge Hoffman withheld a ruling on the board's motion for dismissal pending a ruling in a case attacking the state's school-closing law. That case is now before the Virginia Supreme Court.

P. 40

If he should deny the motion to dismiss the suit, Judge Hoffman said, he will enter an injunction against the school board restraining it from barring Negroes from white schools solely on the ground of race.

The Newport News school superintendent, R. O. Nelson, had testified that Negro applicants for white schools had been rejected because of their race.

14d(1) 1958

VIRGINIA

Will Virginia Share Racial Spot With Little Rock?

By L. M. WRIGHT JR.
Miami Herald — Chicago News Wire

ARLINGTON, Va. — The first break in Virginia's massive resistance policy to school integration is likely to come in this Washington suburb.

Legal maneuvering and its geographical location have thrust this urban county into the front line of the integration fight.

Herald

Moreover, the Arlington school board is the weakest link in the state's "no integration" position.

P. T. A

A substantial number of Arlington's 158,000 residents work for the federal government, are not native Virginians and hold little sympathy with the state's school closing policy.

Miami

The Negro population of Arlington is also substantially below the state average of about 25 per cent. Here there are only 7,200 Negroes.

(L. M. Wright Jr. was born and educated in the South. He also has studied race relations under a Nieman Fellowship at Harvard. Now a member of The Charlotte (N.C.) Observer staff, he is touring the racially troubled areas of Virginia where school integration is coming to a showdown this fall.)

* * *

The 24,530 public school students include only 1,555 Negroes.

Sat 8-30-58

DESPITE THE FACT that Arlington has the smallest portion of Negroes of any of the three Virginia communities under court orders to desegregate, there are half a dozen anti-integration groups active here.

They range from a citizens council to the local chapter of the Statewide Defenders of State Sovereignty and Individual Liberties.

But the more moderate point of view is equally well represented in as many organizations.

While in Norfolk the president of the PTA is an active segregationist, here the school administration and most of the related organizations are pledged to keep schools open.

Federal Judge Albert V. Bryan, a northern Virginia native, ordered the admission of Negro students last fall, but postponed a showdown to permit appeals which have since been exhausted.

This year, the same five students are back — and so are 25 more.

* * *

THE ARLINGTON school board has made it clear it will not risk contempt of court citations by ignoring the desegregation order which will be effective when schools open next Thursday.

The state's segregation-mixed pupil placement board has already interviewed the 30 Negro applicants and assigned them to segregated Negro schools.

Tuesday night the board appealed to Judge Bryan for guidance. Bryan, on a trip to Europe, will return Monday and is expected to give prompt attention to the school problem.

Board member James C. Stockard said: "It appears to me that we must either admit the Negro children to the schools to which Judge Bryan intends them to go this year or place ourselves in contempt of the federal courts."

This, said Stockard, is "an action which I cannot rationalize as an American citizen, believing, as I am sure all Arlington citizens do, in law and order."

Jack Rathbone, Defenders leader, says simply: "We are not going to have any integration."

* * *

EARLY IN 1956, the Arlington school board, thinking the state was about to adopt a moderate plan for local option in handling school problems, announced that it intended to begin a limited desegregation program in 1957 in high schools only.

But between the time of the announcement and the time the legislature met, the crucial change in Virginia's course took place. Engineered by U.S. Sen. Harry F. Byrd, the program proposed closed schools as an alternative to integration.

And to make sure that Arlington would not break the line, the legislature took away Arlington County citizen's right to vote for a school board and placed power of appointment with the local governing board.

Arlington and other nearby counties have consistently voted against the state's anti-integration proposals—not so much because sentiment among white residents is for integration but because sentiment for public schools is very strong.

This area voted against segregationist Gov. J. Lindsay Almond Jr. in November when his Republican opponent Ted Dalton was advocating a plan to leave the choice to each county and city.

* * *

WHEN THE FINAL test of massive resistance comes, the National Association for the Advancement of Colored People may not have to bother to file suits to re-open schools.

White parents, many of them prominent in the community, say they will bring the necessary actions to re-open schools and to regain state financial aid.

Arlington Faces Hard Challenge In School Battle

Birmingham

(Second of Three Dispatches)

BY JERRY BENNETT
For The Post-Herald

Herald

ARLINGTON, Va.—Virginia's refusal to mix white and Negro pupils in the same school has turned this Washington, D. C. suburb into the state's principal integration hotspot.

The bustling commuter city of Arlington, located just across the Potomac River from the nation's capital, is faced with a Federal court order which actually assigns five Negro pupils to specific white schools. Twenty-six others have applied for admission.

Birmingham Ala.

Federal desegregation orders in Norfolk, Charlottesville and Newport News have not included individual pupil assignments. Thus, the Arlington order is a direct challenge to Virginia's Pupil Placement Board which under state law is the only agency empowered to assign students to specific schools.

Wed. 8-27-58

The PPB is now operating under an amended version of Virginia's Pupil Placement Act which took the power to assign pupils away from the school boards and gave it to the state. The original act was thoroughly blasted by the Federal courts. There is still some dispute among lawyers over the legality of the new one.

State law calls for closing any public school in which both whites and Negroes enroll. But the Arlington situation was made especially ticklish recently when Virginia Gov. J. Lindsay Almond announced that an unappealable assignment of a Negro child to a white school would constitute enrollment and automatically close the school. Arlington lost its last appeal on the case in May.

Arlington observers explain that the only thing keeping Gov. Almond from closing the schools now is a controversy over whether time has run out on the validity of a Federal court injunction barring such action. Federal Judge Albert V. Bryan issued the injunction last year but held it up during appeals.

D.

Lawyers for the Arlington School Board contend that Bryan's order must be updated in order for it to be effective in 1958. Judge Bryan is in Europe and won't return until Labor Day.

Some legal experts, however believe the dilemma could still be successfully worked out before the Sept. 4 school opening. They contend that Negro pupils might get an order for their admission from another federal judge. At the same time they could seek an injunction against closing any Arlington public school because of integration.

Attentively watching any such move would be more than 3000 Arlington citizens who have banded together in an organization called the Organizing Committee to Preserve the Public Schools. Members of the group say that they are neither integrationists nor segregationists. Their only purpose, they explain, is to safeguard the continued existence of public education.

Warren Cox, legal counsel for the group declares:

"As soon as it's definitely certain that a school will close, I think that parents could apply for an injunction to the courts. Most attorneys feel that the Federal courts will grant an injunction to prevent closing if it's properly applied for."

If the group fails to get the court order, OCPPS leaders explain that they could try to persuade Gov. Almond to return the schools to the local community to be run on an integrated basis. State law permits the governor to take such action if the schools are closed. But if a school is integrated after being turned over to local control, it and all others in the same class automatically lose all state funds.

OCPPS officials explain that the county could finance the schools' operation until next Spring. In the meantime a legal action could be started to get the funds back, they say.

Cox believes that most of Arlington's teachers would continue to work to get the funds back, they say.

"I would think that all but a few," he says, "would rather see schools stay open with a limited amount of integration than see them closed. I don't think the teachers in Arlington are much different from those in Washington. The D. C. teachers haven't walked out since their schools were integrated."

The segregationists, however, completely disagree with OCPPS philosophy. Jack Rathbone, prominent Arlington contractor and head of the local branch of the Defenders of State Sovereignty and Individual Liberties, declares:

"The only way we'll integrate is by Federal forces integrating us."

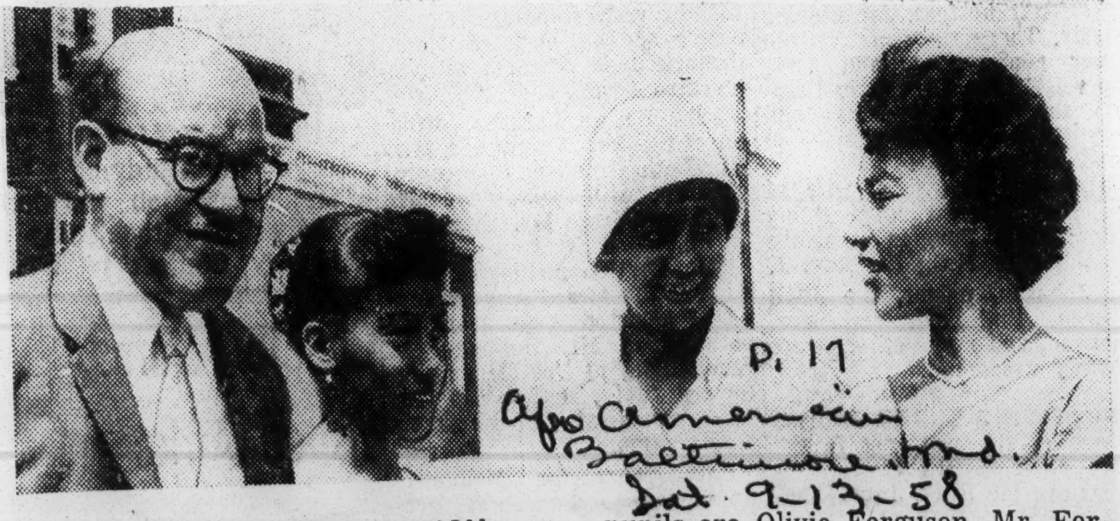
As a counter-move against the Negro applications, two white parents recently filed requests for their children to attend Negro schools. Observers explain the move was designed to force the closing of Negro schools in case the white schools are shut down. Rathbone explains the action was simply "tit for tat."

The Defender chief is in favor of switching to priavte education if the public schools are closed. His plans call for teaching schools in homes and vacant buildings until better facilities can be obtained.

AUTHORITIES AT AN ARLINGTON — Junior High School turned away these two Negro pupils last September. This year the school board is under federal court order to admit specific students.

1441

CANDIDATES for the Virginia Teachers Association presidency are shown at the VTA Cracker Barrel Leadership Conference held recently in Richmond. Left to right are Mrs. Alberta G. espot, supervisor of schols, Louisa; H. L. Robinson, teacher, Princess Anne County Training Princess Anne, and Sadie V. Lawson, teacher, Addison High School, Roanoke. One of these persons will be elected to head the 7,500 member state teachers organization, at balloting during October 1 through 15.



P. 17
Afro American
Baltimore, Md.
Sat. 9-13-58

DISCUSSING DESEGREGATION. — George R. Ferguson, left, president of the Charlottesville NAACP branch, chats with Miss June Shackaloff, social scientist of the NAACP national office, and pupils involved in the school integration controversary. The pupils are Olivia Ferguson, Mr. Ferguson's daughter, and Roberta Robinson, in white cap, both of whom have applied for admission to Lane High School. The pupils are among those attending a summer workshop to prepare them for school desegre-

14d(1) 1958

VIRGINIA

Cites 14th Amendment

NAACP Brings Suit To Halt Virginia "Probers"

Journal and Guide

RICHMOND, Va. — A suit filed in the US District Court here Monday asks that Virginia's two Assembly—created commissions probing the NAACP be permanently enjoined from interfering with activities of the NAACP, its officers, members, contributors, workers and attorneys in the state.

p. 1

The suit, brought by the NAACP through its national offices, asks that the Boatwright and Thomson committees be prevented from using any of the powers vested in the two groups in a Virginia Assembly Act of 1958. The two groups have been compacted into one with Del. John Boatwright, Sr., as chairman.

Sat 8-23-58

IN THIS ACT, the two groups were given power to exercise rights which the suing NAACP says would deny the organization and its representatives rights secured by the 14th Amendment to the US Constitution.

Norfolk Va

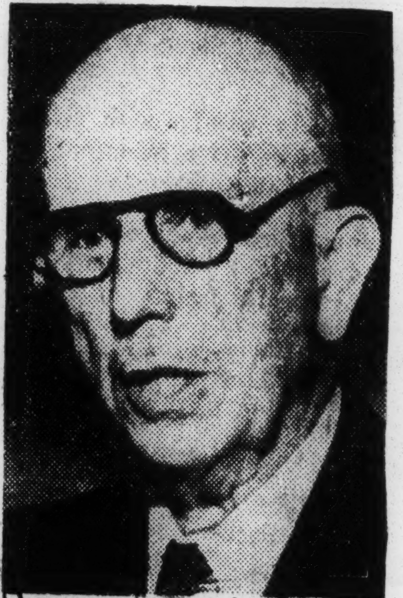
The suit alleges that the two committees set up by the General Assembly while it was "mass producing' laws aimed at defying the schools desegregation decree of 1954, had "harrassed" NAACP members, officials and others.

Journal and Guide

THE SUIT alleges that the 1958 Assembly act it wants declared unconstitutional is part of a studied plan of the Commonwealth of Virginia to preserve racial segregation in public and other public facilities.." The suit further declares that "From May 17, 1954 to date, the executive and legislative departments of the Commonwealth of Virginia have concentrated upon ways and means of preventing the enforcement of the decision of the Supreme Court of the United States that racial segregation in public education is unconstitutional."

Sat 8-23

The suit outlines several chapters of the Code of Virginia the NAACP says the state is using in an attempt to "deter citizens from engaging in collective action to challenge the continuing racially discriminatory practices" of the state.



Journal and Guide

JOHN B. BOATWRIGHT SR.
Group Faces Suit

Sat 8-23-58

School mixing battle active in Virginia

NORFOLK, Va., Aug. 21—(AP)—Federal District Judge Walter E. Hoffman opens hearings today on petitions that could result in orders for the city school board to admit Negroes to white public schools.

News

P. 58

The petitions were filed by 30 of the 151 Negroes turned down by the school board in their bid to enter white schools. Identical petitions by 23 more Negroes were filed with the court yesterday.

Birmingham

Hoffman hinted broadly yesterday the school board may have erred in refusing to admit any of the 151 Negroes to white schools. He said he himself had no intentions of assigning Negro pupils to white schools. But at the end of the hearings he could direct the board to admit some or all of the petitioners.

Ala.

In other Virginia school developments:

Thurs 8-21-58

1. AN AUG. 28 hearing date was set by Judge George Coles of Charlottesville Corp. Court on a petition requesting an injunction to restrain the city school board from assigning any pupils to public schools. The petitioners, two white parents, contended all placement powers have been vested in the State Pupil Placement Board.

2. **Arlington School Board members say they will announce next Tuesday their plans for the opening of schools Sept. 4. Federal courts have ordered the board to admit seven Negro children to white schools, but state law automatically closes integrated schools.**

3. Arlington police have begun an intensive, seven-day training program designed to keep the peace when schools open. They will receive training in the use of shotguns, tear gas and riot sticks, and 40 police officers will be trained in close order drill and in formations used to disperse crowds.

MSU integration delayed indefinitely

NASHVILLE, Tenn., Aug. 21—(AP)—The State Board of Education has postponed indefinitely any action on Memphis State University's request for permission to wait a year to desegregate its classes.

Several Negroes have passed entrance examinations set up this year under board authority after the appeals court threw out a Grade-A-year desegregation plan approved by U. S. District Judge Marion Boyd of Memphis.

Its request for additional time was granted, with no date set for it to report again.

Hearing Postponed In Norfolk School Integration Case

News Courier

Charleston, S.C.

Thur 8-21-58

NORFOLK, Va. (AP) — A court hearing which could result in the Norfolk School Board's being ordered to admit Negroes to white public schools was postponed Wednesday by Federal District Judge Walter E. Hoffman until Thursday.

P. 10A

At the same time, the school board was granted an identical delay in making a report to the federal court on its Monday night action in denying the requests of 151 Negro children seeking admission to white schools.

The hearing before Hoffman, originally scheduled for Wednesday, is on motions of 30 Negro pupils that Hoffman reverse the board's action in denying them admission to the white schools. They contended that the board's pupil assignment plan is invalid on its face, and that they were denied admission to white schools because they are Negroes.

Shortly after the one-day postponement was granted, 23 more Negro pupils denied admission to white Norfolk schools filed petitions asking Hoffman to overrule the board.

In Charlottesville, meanwhile, the city school board asked Federal District Judge John Paul to rule that a new school district — created to prevent the assignment of Negro pupils to white schools — is valid. Judge Paul set Aug. 26 for arguments on the motion.

SHUT SCHOOLS STIR FORMER GRID STAR

14d(1)

Massive 'Bolo' Perdue, Now Norfolk Principal, Opposes 'Massive' Resistance

N. Y. Times

By LAWRENCE FELLOWS

Special to The New York Times.

NORFOLK, Va., Oct. 16—"Bolo" Perdue, the rugged defensive end who played with the New York football Giants two decades ago, has thrown his massive frame against "massive resistance" to integration.

Just as he was respected in the National Football League for reasons of character as well as playing ability, he is looked up to here as the gentle and persuasive, albeit fierce-looking, Charles W. Perdue, principal of Norview Tigh School and president of the Norfolk Education Association.

Sun 10-19-58

"We're not for massive resistance," he declared today. "Our main objective is to get the schools open. That's what we're working for."

p. 71

In the association are Norfolk's 1,176 public school teachers, 426 of whom Mr. Perdue, were locked out of their jobs when Virginia law closed six public schools here rather than admit seventeen Negroes.

Pupils Put out of Schools

More than 10,000 white children were put out of school here, as were in Charlottesville and in Warren County.

"This thing's going to grow unless it's stopped," Mr. Perdue commented today when interviewed as he had lunch at Burrough's Drive-in.

He picked up a jumbo hamburger and it nearly disappeared from sight in his fist. He turned his head to reflect and looked almost like one of the Navy dreadnoughts lying at anchor in Hampton Roads.

"The only way for schools to survive," he pressed his discussion, "is to have some integration. That's the way the teachers feel.

"Make no mistake, though, they are segregationists at heart, but they still want to follow the law of the land."

The association has adopted a resolution asking for return of the schools to local control so that they can be opened, presumably with integration.

It refused to help the Tidewater Educational Foundation set up private classes. Not one teacher volunteered for the project. The foundation suggested that military discipline was in operation in the association.

"Not at all," Mr. Perdua asserted today. "I think the teachers suspected the foundation wanted to preserve segregation. That's just the way we are. We don't see how any system of private education can supplant our public schools."

Fear Teacher Exodus

One of Mr. Perdue's theories in the continuing crisis is that the public school teachers will leave Norfolk for less troubled places.

Although their contracts do not expire until June 30, he said, a few have already started looking for jobs.

"I've had two at Norview ask to be released," he added.

"I can see in the Spring, when the new contracts come up, all the teachers in the city looking around."

A more pressing worry for him stems from the private tutoring groups that have been set up by parents and are scattered in churches and homes of the city.

"I want to help the parents," he said today, "and I've been directing them to teachers who want to help out in the emergency."

He estimated that three hundred teachers were thus employed and nearly 4,000 pupils accommodated.

"But we are caught in a web of circumstances," he went on. "I think we are participating in activities that serve to prolong this tragic state of affairs.

"The tutoring groups have permitted the parents to lapse into a sense of complacency. They don't realize that the facilities and the materials of instruction we are using now are entirely inadequate.

"While this tragic situation persists it's too easy for someone to say our public officials must be granted more time to seek an honorable way out.

"We teachers are responsible in part for the lack of acute concern in our citizenry.

"But you never know. I'm calling a meeting next Monday. I can't say what the teachers will do, but we'll discuss policies."

Withholds Statement

Journal-Guide

Eisenhower Refuses To Meet Virginia Governor

Norfolk, Va.

Sat. 8-16-58

By STEWART HENSLEY

WASHINGTON (UPI)—President Eisenhower said Wednesday that he had no plans to make any public pleas for moderation in school integration before the opening of schools this fall. P. 14

Eisenhower

But he said that if he thought of anything that could be effective, he certainly would not hesitate to do it.

(Earlier this summer the President's plea before a summit conference of Negro leaders for "patience" in approaching integration and similar civil rights issues was sharply criticized by some leaders. He was probably thinking back to that reaction when he replied to the press questioner. —Editor)

* * *

HE ALSO declared at his conference, the first with reporters in five weeks, that he had no intention of meeting with Governor J. Lindsay Almond Jr. of Virginia about the situation in nearby Arlington county.

He added that he had not been approached on such a meeting.

(Almond has shown a marked coolness to the idea, first broached by Rep. Broyhill, one of two Republicans in the Virginia delegation in the U. S. House of Representatives. This week Almond told reporters he "did not even wish to be invited" to consider such a meeting.

* * *

(**EISENHOWER** last summer held such a meeting with Governor Orval Faubus of Arkansas on the Little Rock situation. Later when a southern group of officials — congressmen and governors—conferred on the school crisis, the President refused to have Faubus included in the group.

(It was interpreted that he felt double-crossed by Faubus when the latter returned to Arkansas and ordered the National Guard to prevent Negroes attending Central High School as ordered by the federal courts.

(The President later federalized the Arkansas militia and issued orders that they protect the nine boys and girls who were enrolled under judicial direction.

* * *

(**EARLIER THIS** summer the President met with four Negro leaders on the school crisis and related civil rights questions. They were A. Phillip Randolph, labor leader; Lester Granger of the National Urban League; the Rev. Martin Luther King Jr., Montgomery bus boycott leader; and Roy Wilkins, NAACP national executive secretary.

(He has not granted a similar audience to Congressman Adam C. Powell, requested more than once by the outspoken Harlem solon.—Editor)

* * *

VIRGINIA'S Governor Almond repeatedly has declared that any Virginia schools putting Negro pupils in white classes, or vice versa, would be closed.

Families of many military people and federal civilian employees live in Arlington, Norfolk, and Newport News, three of four localities ordered by courts to integrate next month.

* * *

(**THE FOURTH** is Charlottesville. Only this week Federal Judge Sterling Hutchenson in Richmond Federal District Court gave the school board of Prince Edward (Farmville) county until 1965 to start integration—ten years from the date of the Supreme Court's implementation decree of May, 1955, ordering desegregation "with all deliberate speed."

(This decree reinforced the famous May 17, 1954, decision outlawing segregation as in itself discriminatory and unconstitutional. The Prince Edward county case was one of the five cases on which the highest court had ruled. The others originated in the District of Columbia, Kansas, Delaware, and South Carolina.

(The President has repeatedly declined to accede to pleas that he speak out strongly in favor of prompt obedience to the court orders.

(In press conferences he has gone only so far as to say that he had a duty under his oath of office to enforce the laws, support the Constitution, and stamp out violence, and would do so. That he did in Little Rock.—Editor)

ALMOND ADAMANT ON SCHOOL STAND

Tells Virginia's P.-T.A. He Won't Allow Inter-Racial Classes in the State

By LAWRENCE FELLOWS

Special to The New York Times.

N.Y. Times

RICHMOND, Va., Oct. 20—Gov. J. Lindsay Almond Jr. told the Virginia Congress of Parents and Teachers today that he would fight for public schools, but that he would not permit white and Negro children to be taught in them together.

More than 1,000 delegates from parent-teacher groups in the state heard the Governor at the opening session of their three-day meeting here. They cheered and applauded when he asserted:

New York

"I say to you in profound and pleading reverence that I fight to preserve the public school system, and I shall not turn from that task as long as I have the support of the people of Virginia."

His face flushed and he waved his arms broadly when he added:

"I will not permit white and colored children to be taught together in the public schools."

Cheers Hail Statement

Tues. 10-21-58

On this assertion, he was cheered even more enthusiastically by his audience.

Governor Almond also asked that the meeting join him in denouncing the bombings and threats of bombings that have violated schools and places of worship in other parts of the country.

P. C 29

"Let us condem in unmistakable language," he said, "those among us in America who feel it incumbent upon themselves to threaten the safety of the people.

"We have no room," he said, "no feeling, no sympathy, for John Kasper [segregationist agitator] and the Ku Klux Klan.

"Some are accusing me of being an enemy of the public school system," the Governor said. "Mine is no easy task in these crucial days in Virginia."

Six Schools Closed

To avoid admitting fifty-one Negroes assigned to white public schools by Federal Court order, Virginia hass hut down six schools in Norfolk, two in Charlottesville and one in Warren County.

Nearly 13,000 white pupils have thus been kept from the school by the automatic operation of the state's laws of "massive resistance" to integration. Under the same laws, the Governor has assumed control of the affected schools and their teachers and officials.

The laws permit him to reorganize the schools and to reopen them as segregated institions. He has refused to do this, for it would invite an unwanted showdown between his strength and that of the Federal Government.

The laws also permit him, on the request of the school board and city council of an affected community, to return the schools to local control—to be opened, presumably, as integrated institutions.

Norfolk Plea Slated

No community has yet made this request of the Governor, although parents and others have asked for such a course by staging rallies and signing petitions.

The Norfolk Committee for Public Education will call on the Governor Wednesday afternoon to plead for this as a moderate course that they say would be acceptable to their community.

But the Governor warned this afternoon that he could see in the local-option plan any panacea by which "you can preserve public schools, private schools, integrated schools and segregated schools at you will."

"I cannot believe," he added, "that those who advocate that concept are sincere in their position.

"In every locality in Virginia the impact would be dreadful upon the schools. Hundreds of people would withdraw their children."

Governor Almond said he would call a session of Virginia's General Assembly "at the appropriate time, if it becomes necessary," to find a solution to the school crisis by new legislation.

14d(1) 1958

Almond's Integration Stand Brings Congratulatory Mail

Washington Post

Washington D.C.

Wed 8-27-58

P A15

RICHMOND, Aug. 26 (AP) Gov. J. Lindsay Almond Jr. said today his office has been flooded with communications overwhelmingly in support of his stand last week opposing school integration.

At that time Almond, in response to questions on President Eisenhower's statement urging Americans to support court ordered desegregation of public schools, declared there would be no enforced integration in Virginia. The Governor said any Federal troops sent into the state to enforce court orders "would patrol empty school houses."

At today's press conference, the Governor said he was taking the opportunity to express through news media "my sincere appreciation" to the hundreds of citizens" who have expressed their support of his stand.

After reading a prepared statement, Almond said the reaction was overwhelming in support of the state's position. He added that the adverse reaction "was very light." He said he believed it would not run more than 3 or 4 out of every 100 communications received of which there were 400 to 500. Most were from Virginia.

"The reaction outside of Virginia was very heartening," Almond said. He added that he believed there is every indication people are genuinely concerned about recent rulings of the U. S. Supreme Court on Constitutional matters and "feel Virginia is striving to preserve her rights as a sovereign state."

Integration Foes Plan Grade-Shift

Post Times Herald

Virginia Studies Swapping Classes With Negro Pupils

P1

Washington D.C.

Sat 8-16-58

RICHMOND, Aug. 15, Special) — Virginia's legal experts are hoping a new 'grade-level reassignment plan" may prove an effective tool to delay court-ordered racial integration of public schools in some parts of the State.

Gov. J. Lindsay Almond told a news conference this week that the plan, which involves shifting entire classes among schools like checkers on a board, is one of several methods being studied to reopen schools on a segregated basis if they are closed by integration.

The plan is under serious scrutiny by State officials and may become a major weapon in the arsenal of Virginia's "massive resistance program."

Court Test in Doubt

Whether the plan would stand up in court is questionable, but officials believe that, coupled with the Governor's announced intention to prevent schools from opening when it is clear that a Negro pupil will enter, it may delay integration.

Alexandria School Board refers 14 Negro applicants for white schools to State Pupil Placement Board. Page D1.

The plan is considered workable only in areas such as Arlington, where a small number of Negroes have applied for admission to white schools.

Under this reassignment plan, if a school were closed because Negroes were enrolled in the fifth grade, for example, that grade would be removed from the school so the school could reopen. The Negroes then would be sent to a Negro school, and the rest of the fifth grade would be assigned to another white school.

Schools Trade Grades

To make room for the additional fifth-graders, that school would then send its fourth grade, for example, to the vacant rooms in the first school. Thus, one school would be without a fifth grade while the other would lack a fourth grade.

In Arlington, some schools have operated temporarily before without one of the normal grades, because of overcrowding.

Virginia law requires the Governor to close integrated schools. The Governor also is required by law to attempt to reopen such schools on a segregated basis. However, the massive-resistance laws fail to specify how the schools should or could be reopened. The "grade-level reassignment plan" is an effort to solve that problem.

VIRGINIA

Prince Edward Gets 7 Years to Desegregate

Evening Star

Washington D.C.

Tues 8-5-58

U. S. Judge Allows Flexible Deadline In Virginia County

P1

By MARY LOU WERNER
Star Staff Writer

RICHMOND, August 5. — Prince Edward County, Va., has been given until 1965 to begin school desegregation, unless developments in the meantime require an extension or reduction of the time limit.

Federal Judge Sterling Hutcheson set the flexible deadline yesterday in an opinion hailed by State leaders as a major victory in Virginia's struggle to hold off integration.

Hutcheson Appeals to Human Experience in Fixing Date. Page B-2

It is the longest stay granted in a desegregation case since the Supreme Court handed down its 1954 decision outlawing racial segregation in public schools.

Lawyers for Negro children seeking admission to Prince Edward's white schools, who had asked desegregation this fall, glumly conceded a victory to the State. But beyond admitting that an appeal would be considered, they declined to say what moves they planned.

Judge Hutcheson's 33-page ruling takes note of events at Little Rock, and also cites Solon of Ancient Greece, turmoil after President Lincoln's death and the prohibition era.

It is clear, said Judge Hutcheson, that the Supreme Court "did not anticipate hurried, ill-considered action."

Violence a Prospect

He said "judging from the experience of other localities it may be observed that violence may be within the realm of probability if precipitate action is taken."

And while the consideration of violence is secondary, said Judge Hutcheson, "the psychological effect of such condition on immature children is a primary importance. It must be ever borne in mind that the children are those for whom the entire educational system was devised and their interests are not to be lost sight of in the conflict of the adult world in which they live."

The order directs Prince Edward to start making plans for desegregation right away. A progress report must be filed by next January 1 with the court.

The Prince Edward case was one of the original suits that brought about the Supreme Court ruling. A desegregation order had been issued previously, but no time limit had been set for compliance in the southside Virginia county where white residents have vowed to abandon public schools rather than yield to integration.

Sidestepped Date

Star

P B2

Tues 8-5-58

Judge Hutcheson had taken note of the threatened school closing when he refused in January, 1957, to set a specific date for desegregation. He was overruled by the Fourth Circuit Court of Appeals, and the appellate court subsequently was upheld by the Supreme Court.

The decision handed down by Judge Hutcheson yesterday was in response to the appellate court's direction.

Regarding events at Little Rock and the [illegible]-year suspension of integration there, Judge Hutcheson said:

"It has been demonstrated that the hearts and minds of men can not be controlled by legislation nor by force. It has been demonstrated that violence can be quelled by force, such as the use of troops, but unless proper preliminary preparation has been had, when the force is removed festering scars remain requiring treatment of the type administered by Judge Harry J. Lemley of the Eastern District of Arkansas in his recent opinion.."

Judge Hutcheson added that 'over-hasty action necessitating a backward step is less conducive to proper law enforcement than action taken after carefully considered delay, even though the court may be criticized for delay by those impatiently urging speedy action."

Solon Considered Decade

Solon, said Judge Hutcheson, considered 10 years "an appropriate interval to allow the adjustments to far-reaching changes in the customs of a people," when he placed in effect a new code of laws.

The period of greatest turmoil after President Lincoln's death, he continued, is regarded as approximately 12 years.

And efforts to enforce the 18th Amendment (Prohibition) were concentrated over a period of 14 years, he declared.

"Concededly, those yardsticks are of limited aid, but they do reflect some past experience with human behavior. No better measure has been suggested nor has one occurred to me," he added.

In naming the date for complance, Judge Hutcheson left the way open for future modifications, saying:

"Because of the uncertainty of conditions during the interval and the absence at this time of a sound basis for this conclusion, the power to change this date either reducing or extending the time will be expressly reserved and action under such reservation will be in accord with what may develop in the future."

September Date Sought

Attorneys for the National Association for the Advancement of Colored People had asked Judge Hutcheson to order desegregation in Prince Edward this September. Arlington, Charlottesville and Norfolk already are under September deadlines and Newport News faces a similar order, although a technicality remains to be argued in that case.

An early deadline in Prince Edward, said Judge Hutcheson, would be "unrealistic."

He noted that Prince Edward had asked for time to conduct a psychological study.

"Considering the weight and importance which have been given the psychological factors, such an approach would appear to have merit and to contain the possibility of a worthwhile recommendation dealing with the problems peculiar to the particular community with which we are concerned," he declared.

He said he did not believe it was the court's job, however, to specify what steps the county should take, but only approve or disapprove any actions. Thus, he ordered the progress report.

No State Law Tested

The Prince Edward case did not involve a test of any of the laws Virginia has adopted to preserve segregation. It had not reached the point where specific Negro children had applied to enter white schools, since no time limit for ending segregation had been set.

Virginia anti-integration laws provide for the automatic closing of any school where races are mixed. If a locality attempts to reopen a closed school on an integrated basis, State school funds will be withheld from the community.

Specific applications from Negro students to enter white schools are involved in all the other pending desegregation cases in the State.

Prince Edward County is located in the heart of Virginia's "Black Belt." It has a school population of approximately 3,000, which is 54 per cent Negro and 46 per cent white.

The decision was hailed by Virginia's Attorney General Albertis S. Harrison as one that showed "a realistic appraisal and understanding of onditions that exist' 'in Prince Edward County.

Mr. Harrison added, the decision "recognizes the validity" of the State's position that the problems posed by the Supreme Court's 1954 desegregation ruling "could only be solved by time, understanding and education."

Psychologist Sought In Racial Dispute

Star
P. B1
Washington
D.C.
Tues.
7-15-58

RICHMOND, Va., July 15 (AP).—NAACP attorneys prepared today to move for denial of a motion by Prince Edward County counsel which would defer a starting date for school desegregation into the indefinite future.

The county, in a surprise move before Federal Judge Sterling Hutcheson, countered an NAACP request for a September starting date by asking yesterday that the case be recessed until an expert in education and psychology explores the county situation and reports to the court.

Negro counsel took the position that a further study was useless. The NAACP lawyers contended increasing tensions actually constituted reason for a prompt start, rather than additional delay, in desegregation. They said the situation might be worse after a delay.

Riot Threat Rejected

Testimony of tensions in the county and of probable rioting and violence if desegregation were attempted is irrelevant to the constitutional issue, as is the therat of school closure, the NAACP attorneys argued.

Under State law, when a school is desegregated it is automatically closed. Prince Edward officials have made it clear repeatedly that they would prefer closed schools to integrated ones.

The latest move to hold off a target date after five officials of the southside county testified that attempts to start desegregation this September would bring on conditions in Prince Edward far worse than those last year in Little Rock.

Stress Race Tension

The county sheriff, two school board members, the school superintendent and the commissioner of revenue told the court that tensions between the races had intensified, rather than diminished, in the last several years.

They told of reports of reports of switchblade knives already appearing in some white schools. Sheriff James T. Clark testified:

"It would require more than the entire State police force and our local officers to preserve order."

The witnesses said they couldn't testify as to what the situation would be in the future, but that a September start order would mean the end of public education in the county of 15,000 for both white and Negro pupils. Aside from State law which automatically closes any integrated school, Prince Edward has its own local fund cut off plan. For several years it has been appropriating its local school funds on a month to month basis.

No Sign of Compliance

All the county witnesses conceded that Prince Edward had made no move to comply with the Supreme Court's desegregation order of 1954—and, they added, it was impossible to forsee when a start toward compliance could be made.

B. Calvin Bass, vice chairman of the Prince Edward School Board, said he believed a majority of the county's citizens are law-abiding, but, he aded, "I believe otherwise law-abiding people can be worked up to an emotional point where they are not law-abiding."

NAACP Attorney Oliver Hill asked Mr. Bass if he didn't think statements by public officials in Virginia hadn't tended to inflame the people in the dessegragation isue.

Mr. Bass said actions by the NAACP—even yesterday's hearing itself—also tended to increase tensions. He agreed with Mr. Hill that "anything that would change the status quo will increase tension."

Caught Off Guard

NAACP counsel admitted they were caught off guard by the county's request for a delay until an expert can canvass the situation and report to Judge Hutcheson.

Attorney Spottswood Robinson III said he had been advised that the county would rely on the State Pupil Placement Act, taking the position that neither the school board nor the superintendent had power to assign pupils.

Archibald G. Robertson, counsel for Prince Edward, said the defense would not rely on the Pupil Placement Act "at this time."

Mr. Robertson read the resolution adopted by the school board July 2 directing the superintendent to recommend some qualified racial experts for employment by the board.

School Board Chairman Lester E. Andrews said the idea had been under discussion for about a month before the board approved it.

Virginia Decision At Hand

Times Union

Time Near for Schools to Integrate or Close Down

P1

Jacksonville
Fla.
Sun. 8-31-58

RICHMOND, Va., Aug. 30 (AP)—Virginia arrives next week at the time of decision when it must obey federal court decrees and integrate some of its public schools—or close them.

Barring unforeseen delays, the choice will be made first on Thursday, when schools open in Arlington, a northern Virginia suburb of Washington.

On Sept. 8, the same choice will have to be made in Norfolk. On Sept. 15 it must be made in Charlottesville. Both cities, like Arlington, are under the guns of federal judges to end school segregation this fall.

There is no question what the choice will be, should the state find it impossible any longer to forestall the enrollment of even one Negro child in even one white school.

School Must Close

The white school in which a Negro is enrolled will close. State law says it must.

Should it become apparent beforehand that there is no way to keep the Negro out, the school will never open.

School closure is the final course Virginia has left for itself in its long, complex, confusing legal war to avoid compliance with the 1954 U.S. Supreme Court desegregation decision.

After closure—if and when it comes—then what?

State law provides that Gov. J. Lindsay Almond Jr. must first attempt to "reorganize" a closed school so that it may be reopened on a segregated basis.

There will be efforts to persuade Negro students to withdraw. If such persuasion fails, the grades in which they are enrolled may simply be eliminated, the pupils reassigned to other segregated schools, and the affected school reopened on a segregated basis.

Should all expedients fail, the school will remain closed. State money for its operation will be cut off from the locality. State-financed "tuition grants" will become available to pupils for private school education.

Then, presumably, white citizen groups with loosely knit plans for the use of homes, churches and business establishments for private schools will be galvanized into action.

U. S. District Judge Albert Bryan last year directed the Arlington school board to admit seven Negroes to white schools — and named the students. Five of the seven still intend to enter white schools next Thursday.

Times Union
Sun.
8-31-58

In Norfolk, the city school board told U. S. District Judge Walter E. Hoffman yesterday it is prepared to enroll 17 Negroes in white schools this fall under a local pupil assignment plan. At the same time the board asked Hoffman to permit a delay in such enrollment until September 1959, to prepare Norfolk citizens for such "profound changes."

Rejection Indicated

Hoffman indicated he would reject the plea for delay unless the U. S. Supreme Court, after arguments starting Sept. 11, gives Little Rock, Ark., a 2½-year delay in the integration of Little Rock Central High School.

Charlottesville also has a local assignment plan and is under a virtual ultimatum from U. S. District Judge John Paul to assign some Negroes to its white schools but as yet has made no assignments.

The Charlottesville school board earlier this week postponed the opening of its schools from Sept. 2 to Sept. 15 while it studies its position.

12,700 students locked out of Virginia schools

Afro American
P. 1
Baltimore
Md.

BALTIMORE

A total of 12,700 children in Virginia currently are locked out of schools.

The figure was increased on Saturday when the U.S. Appeals Court here refused to delay school segregation in Norfolk and Warren County schools.

Sat. 10-4-58

The result was the closing of six schools in Norfolk, in accordance with Virginia's massive resistance laws. The Warren County High School was closed Sept. 14.

* * *

THE UNANIMOUS decision barring a delay was made following a four-hour hearing before a special three-judge court composed of Chief Judge Morris A. Soper, Judge Simon E. Sobeloff, both of Baltimore, and Judge Clement Haynsworth of Greenville, S.C.

14d(1) 1958

VIRGINIA

Rankin Ordered Here As School Plea Nears

Star

P A6

Washington D.C.

Tues. 8-26-58

Solicitor General Rankin was reported returning to Washington from Los Angeles today, probably to participate in arguments on the Little Rock school integration case to be heard by the Supreme Court on Thrusday.

The court has invited te Government to take part in the Case as "friend of the court." There has been no official announcement from the Justice Department that the invitation would be accepted. But it revealed that Mr. Rankin was directed by Attorney General Rogers yesterday to return immediately to Washington. This was viewed as indicating delnitely that the Government would participate.

At Bar Convention

Mr. Rankin, Mr. Rogers and five of the nine justices had gone to Los Angeles for the American Bar Association convention which opened yesterday. Justice Burton is en route by ship from a European vacation and is not expected in Washington until early next week. Justice Douglas is vacationing in the Northwest and will fly here tomorrow night. Justices Black and Frankfurter are in Washington.

A quorum of six justices is enough to determine cases, with an evenly divided vote affirming the lower court.

At issue before the court is a petition filed by counsel for the NAACP which, if granted, would reinstate racial integration without delay at Central High School in Arkansas.

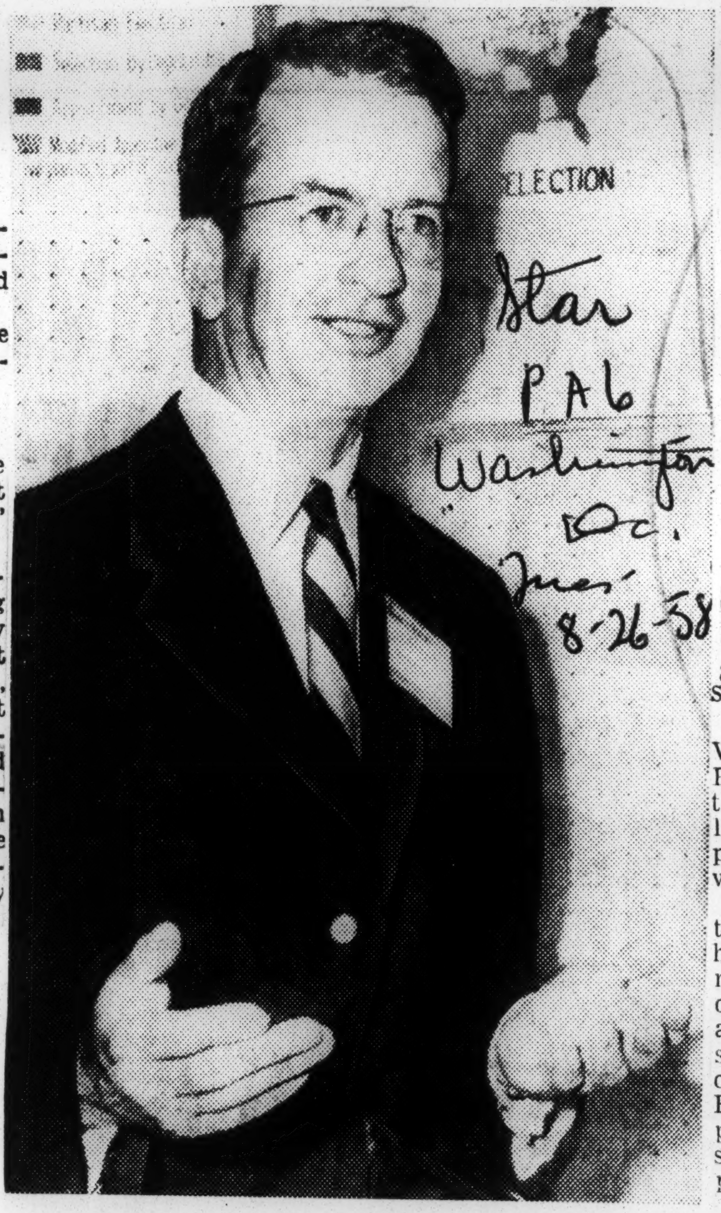
Thurgood Marshall, chief counsel for the NAACP, said yesterday his brief in the case would be filed with the court probably tomorrow. There was no indication when the brief of the Little Rock School Board, the opposing party, would be filed. But it must be in before the court convenes for the special session at Thursday noon.

The Government, on invitation of the court, entered the original 1954 school integration case which resulted in the ruling that racial segregation in public schools was unconstitutional. The court at that time decreed that schools be integrated with "deliberate speed." The Government had argued segregation was unconstitutional.

Expansion of Views Due

If the Government enters the case this time its views on what constitutes "deliberate speed" are expected to be aired.

Before the court is a petition by Mr. Marshall urging that the court revoke a stay issued by the Eighth Circuit Court of Appeals at St. Louis, Mo. The stay had the effect of delaying integration at Central High until the school board obtains final Supreme Court action on a planned appeal from an earlier ruling which gave Negro students the right to enter the school next Tuesday when the term begins.



Star

PA6

Washington D.C.

Tues. 8-26-58

RETURNS TO FILE BRIEF—U. S. Solicitor General J. Lee Rankin is returning here from Los Angeles today because the Supreme Court has invited him to file a brief and take part in arguments Thursday at a special session on the Little Rock school integration.—AP Wirephoto.

Bryan to Hear Debate Tuesday On Negro Pupils

Washington Post

Washington D.C.

Mon. 9-1-58

Returned From Europe, Judge Sets Date for Arlington Test Case

P. B1

Alexandria Federal Judge Albert V. Bryan returned Saturday from Europe and promptly agreed to hear arguments at 10 a. m. Tuesday on motions to order the admission of 30 Arlington Negro students to white schools.

The case is expected to test Virginia's amended Pupil Placement Act under which the State Placement Board last month repjected the application of the Negroes to white schools.

Last year Judge Bryan ruled that seven Negroes did not have to use the State placement forms, but a new version of the Placement Act was adopted by the General Assembly this year. The judge ordered the Arlington School Board to admit the seven plaintiffs to white schools but stayed his decree pending appeal.

He will be ascked by attorneys for the Negro applicants to order the admission of five students in last year's case plus 25 others. The Supreme Court upheld Bryan's decision in May. The attorneys are Otto L. Tucker, Frank D. Reeves and James M. Nabritt III.

Attorney James H. Simmonds will represent the School Board, which has filed a "request for guidance." The Board has said the State Placement Board is responsible for assigning Negroes but has been preparing to make on-the-spot assignments itself, if necessary.

Meanwhile, in Alexandria, where 12 Negro students were refused admission to white schools Friday, police are taking a four-day course in controlling civil disturbances. Police Chief Russell A. Hawes said the course is "purely precautionary."

Alexandria and Fairfax County police have been asked to aid Arlington police in any emergency. Schools open in Arlington on Thursday and in Alexandria next Monday.

Virginia's Byrd Warns Against Any Violence

News Courier

~~Washington D.C.~~

Charleston S.C.

Says State Fight Against Mixing Will Continue

P. 15

BERRYVILLE, Va. (AP)—Sen. Byrd (D-Va) promised here Saturday that Virginia will not give up its "just and proper" battle against race-mixing in its public schools but warned that any violence in next month's integration crisis "will weaken our righteous cause."

Mon. 9-1-58

"We shall fight for our position with dignity, but with every lawful means at our command," the veteran Democratic senator told a throng of several thousand persons at his annual apple orchard picnic. "I hope we shall avoid occasion for violence or rioting."

BLAMES COURT

Byrd charged that if any Virginia school is closed by court-ordered integration, the responsibility will lie directly at the door of the U.S. Supreme Court and the National Assn. for the Advancement of Colored People.

"It is the state that is trying to preserve its school system," Byrd said. "It is the Warren Court decision, pressed by the NAACP, that would destroy it."

More than the integration of schools was involved in the Supreme Court's "terrible decision" of 1954 declaring public school segregation unconstitutional, the senator added, for in handing it down the high court "usurped the authority of congress to legislate."

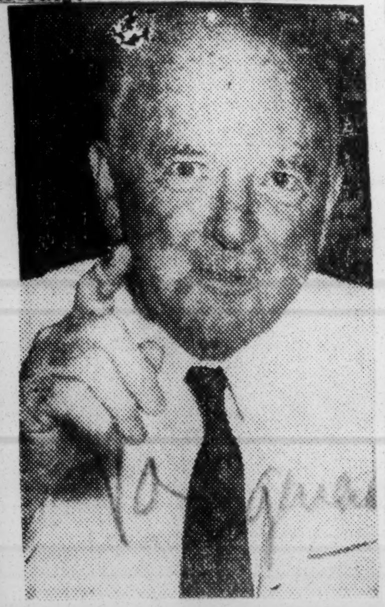
"The federal courts have never had authority to legislate," Byrd said. "The only law in this field (segregation) ever enacted by Congress . . . provided for segregation in District of Columbia schools. And this the Warren Court decision repealed."

WORLD IS WATCHING

"We in Virginia face days of stress and strain, and the eyes of the world will be upon us," Byrd added. "For just and proper reasons the governor and the General Assembly of Virginia, carrying out the expressed will of our people after due deliberation, are refusing to obey an illegal decision of the Warren court. . .

"We know our course is right. We know the Warren Court is wrong. Its terrible decision could be reversed. It should be reversed. I hope it will be re-reversed. . .

"Meanwhile we shall do our best to solve the problems the Warren Court has thrust upon us. This may take a long time. but let our resistance be fortified by the belief that we are fighting to preserve the fundamental principles of our constitutional democracy."



SEN. HARRY F. BYRD
Warns On Violence

Virginia Hopes To Gain Time On Integration

Little Rock Ruling Could Give State A Further Delay

By **MARY LOU WERNER**
Star Staff Writer

Star
p. 1
Thurs
8-28-58

Virginia today awaited the outcome of the Supreme Court's action in the Little Rock case in hopes that a delay could buy more time for three of her own communities where integration appears imminent.

Federal Judge Walter Hoffman told the State last week he did not expect the Supreme Court to uphold Judge Harry J. Lemley's 2½-year Little Rock delay.

But if it does, he said he would call the Norfolk integration case to a halt right away. And the State would waste no time seeking similar action in the Charlottesville and Arlington integration suits.

Waits Anxiously

While watching Washington anxiously for word from the Supreme Court, Virginia had its hands full at home with a series of last-minute developments in the integration struggle:

1. The State Pupil Placement Board offered to take over the job of assigning pupils in Norfolk and Charlottesville. Both localities are attempting to meet Federal Court desegregation orders by using their own local assignment plans.

2. A hearing was due to open in Charlottesville Corporation Court on a suit by two white parents to prevent the city school board from making any student assignments. The suit contends that is the job of the State Placement Board.

3. The Norfolk School Board filed papers in Norfolk Circuit Court denying that its adoption of a local assignment plan usurps any lawful powers of the State Placement Board. Like Charlottesville, Norfolk is confronted by a suit by white parents challenging the city's right to use a local assignment plan.

4. Commonwealth's attorneys and county supervisors attending the Local Government Officials Conference at the University of Virginia unanimously adopted resolutions supporting Gov. Almond's stand that there will be no enforced integration in Virginia schools.

Star
8-28-58
8-28-58

The State Pupil Placement Board is the agency set up by Virginia to handle all student assignments in the State. It originally was created in 1956 as part of the State's legislative program to bar integration.

In Federal Court rulings in Arlington, Charlottesville and Norfolk, however, it has been held that Negro students need not use the placement procedure.

Arlington has continued to let the placement board handle assignments, and is awaiting word from Federal Judge Albert V. Bryan next week on whether that is the proper course.

But in Norfolk and Charlottesville, where Federal judges have been explicit that they are looking to the local school boards for compliance with desegregation orders, local assignment plants have been put into operation.

Ready to Act

In identical telegrams to Charlottesville and Norfolk yesterday, the placement board said:

"The Pupil Placement Board is ready and willing to place and assign pupils to the public schools in your school district if you will make available to it the necessary information upon which it can act. It is now ready and has been ready to discharge its duties pursuant to the laws of Virginia."

The placement board acknowledged that Federal Courts may disregard any action it takes in Charlottesville or Norfolk.

"That, however, is a legal problem which should be resolved in accordance with orderly judicial processes," said the board. "This board, in suggesting the above procedure, does not consider that it is acting in contempt of any court but purely in the pursuance of its duties under State laws."

Attorney John S. Battle, jr., counsel for the Charlottesville School Board, said the city would give the placement board any information it seeks But he added that the school board felt it still had the responsibility of complying with Federal Court orders.

Dismissal Sought

He will ask Charlottesville Corporation Court today to dismiss the suit brought by white parents to bar any local assignments.

The suit was filed by Lynwood G. Priddy and Weir E. Wharton, who contend pupil assignment is a function of the State Placement Board.

Tomorrow, Charlottesville is due to report back to Federal Judge John Paul the results of tests and interviews given Negro applicants for enrollment in white schools. Judge Paul has indicated he intends to go over the applications personally, and take over the job of making assignments if the school board fails to act. He also has implied he does not think lack of scholastic achievement necessarily should bar Negroes from white schools.

Answer Filed

An answer filed by the Norfolk School Board to a suit seeking to forbid local assignments in that city denied that the tests and interviews given Negro applicants there were "unwarranted," the Associated Press reported.

Two justices of the State Supreme Court of Appeals have granted a temporary restraining order forbidding Norfolk from making any assignments pending outcome of the State's court action.

But a Federal Court can dissolve a State court injunction if it interferes with a Federal court order. Judge Hoffman has indicated he will take care of the situation as soon as the Norfolk School Board announces it is ready to make any assignments.

The school board is due to report back to Judge Hoffman tomorrow morning on what action it has decided to take after reconsidering 151 Negro applications for enrollment in white schools. Originally, the board rejected all applications, but was told to reconsider them after Judge Hoffman said he could not accept some of the reasons given for refusing to put Negroes in white schools.

School Cook Fired For Integration Suit

Negro Mother of Two Students [illegible] Her Job in Alexandria

Star p. 1 B
Washington
Tues
9-9-58

The mother of two Negro students who are suing the Alexandria School Board for admission to a white school was fired yesterday from her job as a cook at an elementary school because of the suit.

Mrs. Blois Hundley, 42, of 409 South St. Asath street, was discharged by Supt. T. C. Williams who is defendant along with the school board in the integration suit.

Mrs. Hundley has eight children and works to support them.

Mrs. Hundley said she was "so shocked that all I said was 'Thank you and left."

"After all," she said, "I am not suing the school board for spite—I'm simply suing in order to obtain my rights and the rights of my children."

Mrs. Hundley, a cook at the Lyles Crouch School, two blocks from her home said she was summoned to the office of Elizabeth Meister, director of cafeterias, shortly before 4 p.m. and dismissed on Mr. Williams' orders.

Work Is "Satisfactory"

Mr. Williams said: "Mrs Hundley's work (in her three years in the school system) was entirely satisfactory. We have had no complaints. We promoted her and complied with her request this year to be transferred to a school nearer her home. Then she turned around and sued us.

"We couldn't very well continue to employ her after such a slap in the face. If we had continued, it would have been condoning he raction. He race had nothing to do with it. If she had been red or green it would have been no different."

Mrs. Hundley, who until last week was a cafeteria helper at Robert E. Lee School, said she has been practically swamped" with offers of jobs since her firing became known.

Some of the offers, she said, would bring in considerably more money.

'But it's the principle of the thing that upsets me," she said.

Husband in Hospital

Mrs. Hundley's husband, Pervis A. Hundley, is a patient in a State hospital. One of the older children has a part-time job.

Two of Mrs. Hundley's children, Thedosia, 14, and Pearl, 12, are plaintiffs in the integration suit. They applied for admission to the white George Washington High School. Fourten children in all are listed as complainants in the suit filed last week by Attorneys Otto L. Tucker and Frank D. Reeves.

The firing occurred shortly after Mrs. Hundley and other Negro parents left Federal Court where Judge Albert V. Bryan refused to admit the Negro pupils to white schools while their integration suit is being argued.

Restitution Sought

Thedosia and Pearl, in accordance with Judge Bryan's directions, prepared this morning to attend Parker Gray High School.

Mr. Tucker said he and Mr. Reeves will attend a school board meeting scheduled for tomorrow night to ask that Mr. Williams' firing order be rescinded.

"We're used to economic pressure," Mr. Reeves said. "But when it is the defendant in the case who is applying it it's rather juvenile."

Overcrowded Negro School Puts Arlington's Officials in Quandary

Post & Times Herald P. B7
Washington D.C.

Fri 2-28-58

Arlington school officials are in a quandary over the future of the County's Negro secondary school, Hoffman-Boston.

The problem is that the Arlington School Board is under Federal Court order to admit seven Negro children to white schools, but the order has been stayed pending appeal to the Supreme Court.

What effect the outcome will have on Hoffman-Boston, an overcrowded structure with minimum facilities at 1415 S. Queen st., is the question.

"It's a problem we'll have to come to grips with sooner or later," one board member said. The question may be raised at a board meeting Saturday.

School administrators think it would be foolish to plan for a 600-student capacity school as requested by the Hoffman-Boston Parent-Teacher Association.

A P-TA representative, Jesse R. Pollard, told the School Board at a public hearing Wednesday night that the 160,000 bond money for a five-room addition to Hoffman-Boston, which was allocated last December, just wasn't enough.

He said the school needs 10 new classrooms to bring its capacity to about 600. It now has 532 students in a facility built for 375. Two temporary buildings have alleviated overcrowding somewhat.

But Pollard said the school would be 53 per cent overcrowded this coming school year, 67 per cent in 1959, and 123 per cent by 1963. The two white high schools, Washington-Lee and Wakefield, are abont 23 per cent overloaded.

Hoffman-Boston principal George M. Richardson said the school has some chilren attending classes in partitioned rooms 20 by 15 feet. He said toilet facilities and the library are inadequate and that classes are being held in the auditorium and the cafeteria.

School officials say some of these problems would be eased by building the addition. In reviewing the cost of trying to provide equal facilities, Pollard concluded, "That's the price you pay for segregation."

Virginia Loses in Tribunal

State Is Dealt Another Setback in Fight for Segregation

Times Union
P. 1
Tue 3-4-58
Jacksonville
Fla

WASHINGTON, March 3 (AP)—The Supreme Court dealt another setback to Virginia's program of "massive resistance" to any racial integration in its public schools.

In the most routine way possible, the high court refused in a one-line order to review an anti-racial discrimination decision of the U.S. Fourth Circuit Court of Appeals which Virginia said would result in closing all public schools in Prince Edward County.

That decision directed U.S. Dist. Judge Sterling Hutcheson at Richmond to fix a deadline for Prince Edward school officials — in southern Virginia — to start carrying out the Supreme Court's 1954 decision outlawing compulsory segregation in public schools.

Virginia, asking the Supreme Court to overturn the appellate court, said:

Terrible Responsibility

"The federal courts assume a terrible responsibility when they order the closing of public schools. This is what the circuit court has done and what this court will do if the order appealed from remains in effect."

Virginia has enacted a package of anti-integration laws which the state's leaders call "massive resistance." The laws, among other things, call for cutting off state aid and closing down any public school which is integrated pursuant to a court order.

In other major actions today, the court:

1. Ruled 8-1 that the Army must base a soldier's discharge solely upon his military record, and not take into account his preinduction activities.

Two Involved

This decision means that two New Yorkers who received less-than-honorable discharges on the ground of pro-Communist activities prior to induction now will get honorable discharges. They are John Henry Harmon III, New York law student, and Howard D. Abramowitz, a Brooklyn psychologist whose service as soldiers was described as "excellent."

Action to avoid the less-than-honorable discharges must be taken in U.S. District Court, where the men had lost out before.

Tax Levy Upheld

2. Upheld 7-2 the right of a state to levy taxes on a user of tax-exempt property, including plants owned by the U.S. government, when used by a private party for business purposes.

3. Threw out 8-1 an appeal by 23 Hollywood writers and actors seeking to sue for damages for being blacklisted by the film industry after they refused to testify before the House Committee on Un-American Activities.

High Court Denies Va. Appeal

Defender
Chicago, Ill.
Sat 3-15-58
P. 10

The Supreme Court denied a petition for review of a lower court order that Prince Edward County in Virginia make a "prompt and reasonable start" toward ending school segregation.

Virginia had given the court a blunt warning that the order would result in the abolition of Prince Edward's public school system. The county is in the center of that section of the state where resistance to racial integration has been fierce and unabated. The Prince Edward supervisors have voted to abandon their public schools rather than allow any Negroes into white buildings.

A corporation has been set up, with pledges of $200,000, to operate a private school system, in the event of an unfavorable court decision. In its 1955 opinion, the Supreme Court left to the Federal District courts the primary responsibility for determining the pace of school integration.

A Federal District Judge in Richmond, Va., interpreted the opinion as giving him discretionary power to allow an indefinite stay as was prayed for by Prince Edward County. Judge Sterling Hutcheson who heard the case, rejected a motion, last year, by Negro children in the Prince Edward for a deadline for beginning integration.

Judge Hutcheson was reversed by the United States Court of Appeals for the Fourth Circuit. Its per curiam, or unsigned opinion said:

"The fact that the schools might be closed if the order were enforced is no reason for not enforcing it. A person may not be denied enforcement of rights to which he is entitled under the Constitution of the United States because of action taken or threatened in defiance of such rights."

Virginia's Attorney General, Kenneth C. Patty, who petitioned for a Supreme Court review, said that the appellate court order, in effect, "eliminates the discretion" given the district courts in segregation cases. The petition declared:

"It is important that this court now reestablish that area of discretion. Otherwise in large areas of Virginia and perhaps in other states public schools are now in their last session."

The petition for review was denied by the Supreme Court without comment. The denial means that the Supreme Court sustains both the logic and the spirit of the decision of the Court of Appeals. This represents a significant landmark in the rocky road to desegregation. The inference is unmistakably clear that the High Court will not be intimidated into reversing its action under threats of closing the public schools to evade the integration order.

Five other Southern states have enacted into law, through their legislatures, measures to abolish their public school system whenever they find it necessary to resort to that means to avoid compliance with the order to integrate. Though this evasion by legislative fiat has not yet had a legal test, because no state, so far, has abolished the public school system, it is doubtful that a state can thus evade its educational responsibilities to the citizens. When such a test comes, as it may, it will open a new chapter in the whole field of states' rights, for better or for worse.

Court Orders Integration In Norfolk

N.Y. Tribune
P. 7
Wed 6-11-58
N.Y.

NORFOLK, Va., June 7 (UPI).—Federal District Judge Walter E. Hoffman held today that a sixteen-month-old desegregation order against Norfolk is in full effect and that the city must end racial segregation in its schools in September.

The sprawling port city thus became the third Virginia locality to face an apparent showdown between Federal court desegregation orders and Virginia's massive resistance laws which would close any school where mixed classes are taught.

Arlington County and the city of Charlottesville face similar showdowns.

Funds Option Plan Defeated

1440 Va

By a Staff Reporter

RICHMOND, March 7—The Virginia Senate beat down a last-minute effort to attach a local option provision to Virginia's school funds cut-off program today and sent an amended billion-dollar appropriations bill to conference.

Shortly thereafter, the Senate, by a 34 to 0 vote, passed and sent to the Governor a bill that put the State's Pupil Placement Act more in line with Federal court decisions.

Post
p. B3

State Sen. Armistead L. Boothe of Alexandria led the unsuccessful fight to soften the provisions of the appropriations bill which would automatically cut off state funds to integrated schools.

His proposal would have allowed the voters in localities where such funds were cut off to choose whether or not the cut-off should continue or be repealed for their community.

"Two hundred years ago," said Boothe in a speech, "our forefathers raised the rallying call for the revolution of taxation without representation.

'Taxation Without Consent'

Sat. 3-8-58

"To cut off school funds without a vote of the people is awfully close to taxation without representation. It certainly is taxation without consent."

Washington, D.C.

State funds for Alexandria schools amount to 30 per cent of the sum the city contributes to the State in taxes, he said. In some counties, the ratio is 300 per cent.

Said Sen. Ted Dalton of Radford in support of the Boothe proposal: "Here in this final hour, we must provide the people of Virginia with ~~mechanics that will work in the segregation issue."~~

~~Sen. Stuart B. Carter of Fincastle noted Virginia has spent $508,000 fighting desegregation since the Supreme Court's decision in 1954.~~

~~"It's the people's money,"~~ he said, "and what have they got? We haven't won a case yet.

"Why not let the people have a say? When are we going to let the people decide whether they want to sacrifice the public schools rather than admit one Negro?"

Opposition Expressed

Sen. Mills E. Godwin of Suffolk opposed the Boothe proposal in stirring notes.

"I know of nothing that would delight the people of Virginia any more than to maintain segregation for the next four years for a half million dollars," he said.

Citing the gubernatorial election last November, he added: "The people have spoken and the people have no doubt about the avenue we should walk."

Some half-dozen senators supported Boothe's proposal in the voice vote, including Sen. John A. K. Donovan of Fairfax. Sen. Charles R. Fenwick of Arlington, a member of the Senate Finance Committee, had made an unsuccessful effort in committee to win approval of a similar proposal and was bound by committee rules not to support any floor amendments.

The Senate approved their version of the appropriations bill by unanimous vote and the House, as customary, summarily rejected the Senate amendments and sent the bill to conference. Senate and House concurrence is scheduled for Saturday as the 60-day session winds up.

Integration Order OK'd in Arlington

By the United Press.

RICHMOND, Va., Feb. 12.—A federal court order directing Arlington County, Va., to admit seven Negro students to white schools was upheld today by the 4th Circuit Court of Appeals.

Telegram

The three-member appeals court said it felt District Judge Albert V. Bryan's order directing integration of the Arlington schools "was clearly proper for reasons adequately stated" by the lower court judge.

p. 5
Wed. 2-12-58

The opinion pointed out that Judge Bryan had found the Arlington School Board, defendants in the case, had "acted in good faith" in relying upon the state's pupil placement law which assigns students to schools on a segregated basis.

New York N.Y.

Virginia has a state law to close any schools where federal troops may be used to force integration, as was done in Little Rock, Ark.

Va. must make plan for mixing

Afro-American
Sat. 3-15-58

WASHINGTON (NAACP) — U.S. District Judge Sterling Hutcheson must issue an order, without delay, setting a specific date for the integration of Prince Edward County, Va., schools.

Baltimore, Md.

That was the meaning of the Supreme Court's refusal Monday to review the opinion of the Fourth U.S. Court of Appeals.

1440 Va

Thus another thread in Virginia's fragile "massive resistance" was snapped when the Supreme Court in effect ordered a start toward desegregation in Farmville (Prince Edward County).

While conceding that colored students had the Constitutional right to attend the schools nearest their homes, Judge Hutcheson has declined to order the Prince Edward School Board to admit them.

* * *

THE PRINCE EDWARD case was one of the five original cases decided by the Supreme Court on May 17, 1954 and May 31, 1955.

Parents of Prince Edward pupils had appealed Judge Hutcheson's ruling and the jurist, who sits in Richmond, was overruled.

The Prince Edward board has threatened to close public schools before complying with the school desegregation decision.

About $60,000 has been raised from private sources with which to establish a school for white pupils, when the board is ordered to comply with the law, Virginia sources claim.

The court actually refused to review a circuit court ruling requiring fourth Federal District Judge Sterling Hutcheson to set a date of desegregating the schools of Prince Edward.

The case, which had its beginnings back in 1951, bids fair to reach a conclusion within the next 11 months.

Since the suit was filed—one of the original suits leading to the historic Supreme Court decision of 1954 — many of the original plaintiffs have passed school age.

Other younger plaintiffs have intervened, however, and the recent order will still be of benefit to them.

* * *

A LAW CURRENTLY on the statute books of the Commonwealth stipulates that any integrated school must be closed forthwith. Another law calls for cutting off state funds to any school system having a school which has been ordered to desegregate.

While it may be possible that state officials might move in that direction, it is hardly likely that the entire county will consent for their children to be educated in "private," non-accredited schools in church basements, warehouses, barns and private homes.

Virginia has the option of petitioning for a re-hearing before the high court within the next 25 days. Also facing imminent desegregation are the schools of Norfolk, Newport News and Charlottesville.

* * *

OLIVER W. HILL, legal committee chairman of the Virginia NAACP, said last week that some "beginnings" toward desegregation should be evident in those communities by fall.

With Judge Hutcheson setting the deadline for desegregation in Farmville, local sources said that there is no way of knowing whether he will rule immediately for an immediate start or delay his ruling and also postpone the starting date.

Virginia Loses Appeal On School Integration

1440 Va

WASHINGTON, Mar. 3 — The Supreme Court today refused to review an anti-racial-discrimination decision which Virginia said would result in closing all public schools in rural Prince Edward county.

Herald Tribune
p. 8

The decision was given in Baltimore by the Circuit Court of Appeals. It directed Federal Judge Sterling Hutcheson of Richmond to fix a deadline for Prince Edward school officials to begin carrying out the Supreme Court's 1954 desegregation decision.

Tues. 3-4-58

Virginia's appeal to the high tribunal said:

New York N.Y.

"The Federal courts assume a terrible responsibility when they order the closing of public schools. That is what the Circuit Court has done and what this court will do if the order appealed from remains in effect.

"This is the only Virginia school case where the uncontradicted evidence shows that all public schools in the area will be closed if the action ordered by the Circuit Court is carried out.

"This will result, we state with emphasis, not because of state statutes but because of united local sentiment that will cut off all local funds for the support of the schools."

As part of its "massive resistance" to racially mixed public schools Virginia has passed a number of state laws. One of them would cut off state aid and close any public school which integrates under court order. Virginia's appeal, however, contended that even without that law public sentiment would close the Prince Edward schools if Negro students are ordered admitted.

The Supreme Court's refusal to step into the case was announced in routine fashion. The court simply announced the Prince Edward County case, along with many other appeals, would not be heard by the court.

Prince Edward County is in southern Virginia. The case was one of these involved in the Supreme Court's first decision, in 1954, against racial discrimination in public schools.

Judge Balks At Acting Now On Integration

Courier-Journal
Louisville, Ky.
Sat. 6-7-58

Further Hearings Set In Virginia Case

p. 12

© New York Times News Service

1440 Va

Richmond, Va., June 6.—Federal District Judge Sterling Hutcheson refused Friday to proceed at once on setting a date for integration of the public schools in Prince Edward County, Virginia.

Instead, Judge Hutcheson called for a further hearing on July 14 and 15. He asked attorneys for the County School Board and Negro children to present at that time the facts on "conditions existing in this community."

Bitterly Opposed

Prince Edward County is in southern Virginia, the part of the state most bitterly opposed to racial integration. County leaders have sworn to abandon all public schools rather than integrate, and the general belief is that they will do so.

Because of this community resistance, Judge Hutcheson once before refused to set any date for the beginning of integration. But the United States Court of Appeals for the fourth circuit reversed him, ruling that he must fix some "time limit for compliance" with desegregation decrees.

The case was back before Judge Hutcheson Friday after the Supreme Court refused to review the Court of Appeals' decision.

14d(1) 1958

VIRGINIA

ALEXANDRIA
ARLINGTON

Arlington Is Allowed Segregated Opening

Washington Post

Washington D.C.

Fri. 9-5-58

P. 1

Start on Monday Ordered by Judge In School Hearing

By John Lawson
and Susanna McBee
Staff Reporters

Alexandria Federal Judge Albert V. Bryan yesterday told Arlington school officials they could reopen schools Monday on a segregated basis, thereby preserving the status pending a new ruling by the Supreme Court.

Bryan said his decision on the applications of 30 Negro children to enter white schools this fall would not be made until after the Supreme Court has acted in the pending Little Rock case after a scheduled Sept. 11 hearing.

The School Board promptly caucused in the Court House and announced that schools would open Monday.

Bryan, speaking from the bench at the conclusion of the 3-day hearing, said the children could enter the Negro schools assigned them without prejudicing their rights to be shifted to whtie schools later.

"Meticulous Study"

He told attorneys examination of the 30 cases would require "meticulous and tedious study" and that his decision could probably not be made before the Supreme Court acts in any event.

But he had hinted earlier he might hold up his ruling in the expectation that the Supreme Court may further clarify its 1955 ruling that desegregation in the public schools must proceed "with all deliberate speed."

Bryan noted that Federal Judge Harry A. Lemley had found the timing of the Little Rock desegregation "a basic and underlying consideration" and said he felt the question of timing "may well come under consideration" by the Supreme Court.

Lemley's decision granting a 2½-year suspension of integration in Little Rock was overturned by the Eighth Circuit Court of Appeals.

The judge said he felt the Supreme Court itself may consider the question of timing of desegregation and asked Frank D. Reeves, an attorney for the National Association for the Advancement of Colored People: "Isn't that a fair implication?"

Reeves replied that he did not feel that way. He added that in the Little Rock case the School Board had come forward with a voluntary plan of desegregation and the question in that case is whether a 2½-year suspension is permissible.

p. 28

In Arlington, Reeves said, the School Board has come forward with no plan at all. He said standards set up in Arlington for handling applications of Negroes for transfers to white schools were applied with such discrimination as to be unconstitutional.

Fri. 9-5-58

Without Prejudice

Judge Bryan emphasized that his ruling was made without prejudice to the right of the Negroes to insist upon being shifted to the white schools later, should he find they were entitled to reassignment.

"I do not want the Negroes to be prejudiced by the time delay,' the judge said.

Bryan also withheld an immediate ruling on two pending motions.

One by Virginia Attorney General Albertis S. Harrison asked for a one-year postponement of any further proceedings in the Arlington case.

Motion By NAACP

The other, by attorneys for the National Association for the Advancement of Colored People, asked that certain evidence be stricken from the record. This consisted of psychological evaluations of the Negro applicants by Dr. Cyril Mill, a state psychologist. The Negro attorneys said this evidence should not be considered because Dr. Mill was not on hand for cross-examination.

Bryan said questions for him to decide include the validity of the denial of the applications of the Negroes for transfer to white schools.

He said the validity of the assignments would be tested just as any administrative action is reviewed—as if no constitutional question were present.

Fundamental Test

But, he said, the next question he must decide is whether the actions of the State Pupil Placement Board and the County School Board were "violative of the Federal Constitution."

"That is the fundamental and overriding test," he remarked.

During this week's proceedings, Negro attorneys insisted that race was a factor in the assignment of the Negroes to Negro schools. They denounced criteria used by the School Board as designed only to prevent Negroes from attending white schools.

Virginia's Attorney General Harrison, and attorneys for the School Board argued that the regulations were valid and necessary for efficient operation of the Arlington school system.

The criteria used included attendance areas, overcrowding of white Washington-Lee High School, academic standards, psychological problems, nad adaptability to new surroundings.

At least one of these criteria was used in the denial of each application. In many cases two or three were used.

Board Delays School Start At Arlington

Courier Journal

Louisville Ky.

Wed. 9-3-58

P. 3

U. S. Judge Hearing Negro Applications

Alexandria, Va., Sept. 2 (UP)—The Arlington County School Board delayed the opening of the fall school term Tuesday to give a federal judge time to decide whether 30 Negro students should be admitted to seven of the County's white schools.

The board met in an emergency 4-minute session after the close of the first day of United States District Court arguments in which it sought to bar the admission of the Negroes in a direct test of Virginia's "massive resistance" to integration

The school term had originally been scheduled to start Thursday. But board members said they felt the case might not be disposed of by that time and rescheduled the opening for Monday.

Early Session Ordered

Federal Judge Albert V. Bryan ordered the court to convene earlier than usual Wednesday in an effort to speed action on the case.

Bryan, in reviewing the qualifications of each of the Negro students, heard testimony that the Arlington School Board rejected on grounds other than race the applications of each of the Negro students for transfer to white schools.

Bernard Joy, a School Board member, testified that for one reason or another in each of the cases the vote was to reject the transfer of a Negro pupil to a white school.

In explaining the action, Joy emphasized the white population of Arlington County enjoys above-average income, "with doctors' degrees a-dime-a-dozen."

Lower I. Q.'s Claimed

He said the Negro population could not put the same emphasis on education at home. He also said the Negro children generally had I. Q.'s 20 points lower than the white children.

Ray E. Reid, newly named superintendent of Arlington schools, testified only superior or gifted Negro children would be able to make a satisfactory adjustment in a white school.

"My professional judgment is applied without regard to race," he testified.

Concedes Racial Bias

He later conceded under cross examination, however, that race was the only consideration that caused the Negroes to receive special treatment.

Judge Bryan decided to go over the qualifications of each Negro, although attorneys for the Negroes protested.

Virginia law makes mandatory the closing of any white school where Negroes are enrolled. It provides for a cutoff of State school funds to any county that attempts to operate integrated schools.

ARLINGTON PUPILS ASK COURT ORDER

New York N.Y.

New York Times

Federal Judge Gets Petition of 30 Negroes Barred From White Schools

Wed. 8-27-58

ALEXANDRIA, Va., Aug. 26 (AP)—A petition was filed in United States District Court here today asking that Arlington County school officials be ordered to admit the 30 Negro pupils to previously all-white schools.

P. C 19

The Virginia Pupil Placement Board turned down their applications yesterday.

Among the thirty are five pupils who were ordered admitted last year by United States District Judge Albert V. Bryan, in whose court the Petition was filed today.

Some Arlington school officials contend that Judge Bryan's order involving the five pupils does not apply to the school term beginning Sept. 4.

Judge Bryan is expected to conduct a hearing on the request soon after his return this week-end from a European vacation.

The action may provide a direct test of Virginia's new pupil placement law, under which the state board yesterday rejected the applications.

The action is directed against the Arlington School Board and the Superintendent of Arlington Schools. It does not name the state board.

The Arlington School Board has contended that pupil assignment is the responsibility of the state board.

Seven schools are involved in the action filed today. Under Virginia law an integrated school must be closed.

Redistricting at Issue

HARRISONBURG, Va., Aug. 26 (AP) — Charlottesville officials contended in United States District Court here today that race was not a factor in recent revisions of the city's school districts.

The Charlottesville officials appeared before Federal District Judge John Paul at a hearing on whether the newly created Jefferson district was valid.

All of the thirty Negro applicants for admission to previously all-white schools, which open Tuesday, live in the new district.

The two officials who testified were the superintendent of schools, Fendall R. Ellis, and the city attorney, John S Battle Jr.

However, there appeared little hope that their new would prevail, in the light of Judge Paul's earlier statement that the new district appeared to be a case of "gerrymandering" and that he would be inclined to ignore it if and when he made pupil assignments.

In a ruling Aug. 11, Judge Paul said that Negro applicants should comply with the city's pupil assignment plan, but that if the plan proved discriminatory he might make assignments himself

Arlington Prepared To Assign Negroes At Hearing in Court

Washington Post
Washington D.C.

Thur. 8-28-58

School Board Will Be Ready With Pupil Data

P. B1

By Robert Baker
Staff Reporter

The Arlington School Board prepared yesterday to make on-the-spot assignments of 30 Negro pupils in Alexandria Federal Court on Tuesday—if necessary.

Each of the five Board members has been equipped with a summary data sheet on each Negro pupil. They are expected to study the information between now and their Tuesday date in court before Federal District Judge Albert V. Bryan.

Prepared To Vote

They will be prepared on a minute's notice to huddle and vote on each of the Negro applications for admittance to white schools, if Bryan rejects their position that the local make assignments.

The School Board has been ordered by Bryan to begin school desegregation. Last September he ordered the Board to admit seven Negro pupils to specific white schools.

The judge ruled then that the Negroes need not comply with the State Pupil Placement Act because they would, in effect, be submitting to segregation.

Higher courts upheld his ruling. Twenty-five Negroes, in addition to the five remaining in the original case, have applied for admission to white schools for the term begnning next Thursday.

The School Board, in cooperation with the State, contends it has no assignment powers because this authority was placed in the hands of the State Pupil Placement Board by the General Assembly. Changes in the Pupil Placement Act since last year have made the Act valid, the Board maintains.

Applications Denied

The Negroes were interviewed by the Pupil Placement Board and all their applications were denied. Their attorneys have asked the court to include the 25 new applicants in the order, and to force the School Board to assign the pupils.

The School Board has asked the court for guidance. Unless otherwise directed, the Board told the court, the pupils will go to the schools assigned by the State Pupil Placement Board.

But the School Board is taking no chances of being held in contempt; nor does it wish to be unprepared if Bryan quickly orders all the Negro applicants admitted to white schools.

Ready to Act

In either event, the Board will be ready to make its own assignments. Included in the data on each student are the latest results of Arlington's continuous testing program for school children—perhaps the most extensive in Virginia.

The tests have been given to all pupils for many years and therefore, the Board feels, cannot be challenged successfully as discriminatory.

Also included are the results of the interviews conducted by the Pupil Placement Board in which Arlington school officials participated.

School officials feel some of the Negro applicants can be rejected because of scholastic deficiency—a basis for rejection accepted by Federal District Judge Walter E. Hoffman in the Norfolk desegregation case.

Schools Will Close

If any Negroes are assigned to white schools, those schools will close as required by state law.

School officials in two other Virginia communities also were preparing for their next appearance before Federal judges as Virginia's "massive resistance" program neared a critical test before the courts.

In Norfolk, the School Board was preparing a report for Hoffman, to be submitted Friday. Hoffman told the Board Monday that its reasons for rejecting 16 Negro applicants to white schools were invalid.

He told the Board to reconsider all the 151 Negro applications it rejected, and report back to him. Faced with possible stern action by the judge, the Board may be the first in Virginia to assign some Negroes to white schools.

Norfolk Delay

Norfolk was originally scheduled to begin the fall school term on Tuesday but postponed the opening until Sept. 8.

In Charlottesville, City Attorney John S. Battle Jr. said the School Board would complete the tests and interviews of 30 Negro applicants by Friday, when he would file the results with Federal District Judge John Paul.

On Tuesday Paul refused to uphold new school districts drawn by the School Board in its local assignment plan. Paul said proximity of residence is the prime factor in proper pupil assignments.

He also raised a doubt that he would approve rejections of Negro applications to white schools on the grounds of scholastic deficiency.

A hearing on the Board's results may not be held until after school opens Tuesday.

Negro Pupils Denied Entry

Arlington Move Tests Pupil Law

Star
P. 1
Washington D.C.
Tues. 8-26-58

The Virginia Pupil Placement Board has denied the requests of all Arlington Negro students who sought to attend white schools.

Included in the ruling were transfer requests from five Negro students ordered into white schools last year by Federal Court order.

The action ~~yesterday~~ is expected to provide a ~~direct~~ test of the State's new pupil placement act.

The refusal was expected in view of the State's massive resistance policy against integration.

Newport News Follows Suit

The placement board also announced that transfer applications by Negroes in Newport News had been denied, the Associated Press reported.

While the announcement did not give any figures, it apparently covered 27 Negroes in Arlington eight in Newport News. Four of Arlington's 31 Negro applicants were out of town when the placement board conducted interviews last week.

Robert Peck, chairman of the Arlington School Board, said the children would be notified by local officials that their transfer applications have been denied and that they have been assigned to segregated schools.

Star
P. A6
Washington D.C.

Mr. Peck said it would be "up to the judge" to say whether the placement board's action is valid.

The chairman said the county school board does not intend to retreat from its position that the State placement board has the responsibility of assigning Arlington students.

Tues. 8-26-58

Negro Request Due

Attorneys for the Negroes said they will file a request today, in Alexandria Federal Court asking that 26 names be added to the court order of last year directing the entry of seven Negro children to specific white schools.

The attorneys, Frank D. Reeves of Washington and Otto Tucker of Alexandria, said the papers also ask that Arlington School Superintendent Ray E. Reid be named as a respondent in the original suit in place of Edward Rutter, who was superintendent last year.

If the court agrees to amend last year's decree, a total of 31 Negro children would be ordered into these six schools: Stratford, Patrick Henry Washington-Lee, Jefferson, Kenmore and Wakefield.

A school board member also has said the board will ask Federal Judge Albert V. Bryan for a clarification of his order.

Version Not Tested

Judge Bryan ruled last year that Arlington Negroes did not have to use the procedure of the State Pupil Placement Act. However, the act was amended and readopted this year by the General Assembly and the new version has not been tested.

Some county officials also take the position that last year's order is not valid for the coming session unless it is updated.

Two of the seven children involved in the order do not want to attend county schools now. Another who was seeking transfer to a white junior high school now is ready for high school.

"If the judge tells us directly to do something, there is a very good chance we would do it,' said Mr. Peck. But until that happens, he said the county will continue to let the State handle assignments.

"State Has Priority"

He said the board gave assurances to Virginia Attorney General Albertis Harrison last week that the local board considers the "State has priority" in deciding where the students should go.

Mr. Peck said he has not yet received official notification of the placement board's action, but it is expected before a school board meeting tonight.

Board members have said they will give the public tonight "some of their thinking" on the racial controversy. The meeting will be held at 8 p.m. in the Little Theater at Washington-Lee High School.

Merger Affects Ruling

The status of a Federal court directing Newport News to desegregate this year is subject to further litigation because of the recent Newport News-Warwick merger.

R. O. Nelson, superintendent of Newport News Schools, and W. Hale Thompson, Negro counsel for the eight applicants involved, both said "no comment" when advised of the placement board action.

Presumably, however, the action would open the way for a move back into Federal Judge Walter E. Hoffman's court to determine what effect, if any, the two-city consolidation would have on Judge Hoffman's original desegregation order.

Not yet taken up by the board are similar requests for transfer to white schools filed by Negroes in Richmond City and Warren County.

In another Arlington development, Mr. Reeves and Mr. Tucker have been asked to seek admittance of an 8-year-old handicapped Negro boy into the Edison School for Physically Handicapped, now attended by 13 white children only.

Meeting Late Today

The boy and his mother were to meet school officials later in the day to discuss his qualifications.

The situation poses the question of whether his admission to Edison would automatically close the school under Virginia's "no-integration" laws. There are no schools for handicapped Negro children in Arlington.

Mr. Reeves and Mr. Tucker said they have been asked to handle the legal aspects of the boy's case but they did not have the full details. The boy is said to have a crippled arm, wears a brace on one leg and is described as small for his age.

14d(1) 1958 VIRGINIA

ALEXANDRIA
ARLINGTON

Schools Delay Opening Date In Arlington

Evening Star
Washington D.C.
Wed 9-3-58

Hearing Continues On Petition of 30 Negroes

P. 1

The opening of Arlington schools has been postponed from tomorrow until Monday while a Federal Court hearing continues to determine whether 30 Negro students must be enrolled in white classes.

The delay was ordered late yesterday by the school board after the first day of arguments in the Arlington integration case highlighted by these other developments:

1. It was disclosed for the first time that the school board had reviewed the Negro applications, and agreed that all of them should be rejected. The board gave five reasons for disapproving the applications. Heretofore, only the State Pupil Placement Board's rejection of the applications had been announced.

2. Federal Judge Albert V. Bryan asked counsel if they thought the pending appeal in the Little Rock case had any bearing on the Arlington situation. Attorneys said they would like to present their views on that issue later in the hearing. Some speculated that the inquiry implied a possible delay in deciding the Arlington case.

Evening Star
Washington D.C.
Wed 9-3-58
P. A6

NAACP LAWYERS ENTER COURT—Spottswood W. Robinson (left) and Oliver Hill, who have directed legal fights for the National Association for the Advancement of Colored People in Virginia integration cases, enter Federal Court in Alexandria for a hearing on the Arlington school case.—Star Staff Photo.

Confer in Private

When the hearing recessed for the day at 6 p.m., school board members hurriedly convened a meeting in the United States Marshal's office.

They conferred privately for a few minutes, then invited reporters to be present while action was taken to postpone the fall term.

Attorney James H. Simmonds, counsel for the school board, recommended the delay since it appeared uncertain whether a decision would be reached in the case before the scheduled beginning of classes.

Attorney General Albertis S. Harrison, jr., said he concurred in the delay.

"I feel it is in the best interest of the Arlington school system as well as in the interest of Virginia generally," said Mr. Harrison.

Announcement of the school board's action on the Negro applications came as a surprise near the end of the hearing yesterday.

Action Last Thursday

Last week, the school board had said it would be ready to make assignments instantly if the court held that responsibility rested with the school board. But there had been no advance indication that the school board actually had gone over the applications and reached a decision on each of them.

Barnard Joy, school board member, said the action was taken at a conference last Thursday. He later described the action as a "recommendation" pending a decision by the court whether the State Pupil Placement Board or the school board has final authority to act. One of the questions before the court is whether the placement board or the school board is the proper agency to pass on transfer applications.

CJW
Wed 9-3-58

Mr. Joy said school board members had been advised by their counsel to familiarize themselves with records of the Negro applicants. The material reviewed by the school board, he said, was the same the placement board used in reaching its conclusion.

The school board, said Mr. Joy, reviewed each of the 30 Negro applications.

"For one reason or another, the vote was to reject," he testified.

Split Vote Indicated

There were indications, however, that at least some of the Negro applications were turned down by the board on a split vote.

Mr. Joy listed the five reasons for disapproval of the transfers as follows: Attendance area boundaries which placed some of the applicants outside of school districts where they have applied; overcrowding at Washington-Lee High School, making any new enrollments inadvisable; insufficient academic achievement; psychological problems; and inability of some students to adapt to new situations.

Many of the students, said Mr. Joy, fell into several of the categories.

Areas Affect 11

According to his testimony, 11 applications were disapproved because of attendance areas; five because of overcrowding at Washington-Lee; 21 on scholastic deficiencies; eight because of psychological problems, and five for inability to adapt to new situations.

Those students rejected because of attendance areas live in the original south attendance district for the all-Negro Hoffman-Boston Junior-Senior High School, said Mr. Joy.

The school board has left that area intact, and it is still to be served by Hoffman-Boston, he declared.

The old north attendance district for Hoffman-Boston has been eliminated and merged with white school districts, he explained. Negro applicants living in the old north Hoffman-Boston district were disapproved on other grounds.

The five applicants disapproved because of overcrowding at Washington-Lee live within the Washington-Lee attendance area, said Mr. Joy, but enrollment already far exceeds the school's capacity. He added that white 10th grade students who normally would go to Washington-Lee are to be sent elsewhere this year.

Tests Open Problems

The board's decision on academic achievement, said Mr. Joy, was based on the results of tests given all students in the Arlington school system.

"The results of the tests for the system as a whole indicate there is a real problem in some of the transfers applied for," he added.

Judge Bryan asked when the tests were initiated.

"To the best of my recollection, about 1950," said Mr. Joy who has been a member of the school board for 11 years.

The median score for seventh grade students at Hoffman-Boston, he said, was about one year and three months below the national norms, whereas the median score at Stratford is six months above national norms.

Results of the tests indicate the achievement level of the 7th grade at Stratford is equivalent to the 9th grade at Hoffman-Boston, he declared. In effect, a student transferring from one school to another would be skipping two grades, he added.

Some of the students applying for transfer would find themselves at the bottom of classes in the white schools, Mr. Joy continued.

Cites Causes

Mr. Simmonds asked Mr. Joy to account for the difference in student accomplishments.

Arlington, Mr. Joy replied, has a white population with incomes well above average and 'doctors degrees are a dime a dozen. These are people who have a very great desire for a good education for their children.

"A similar situation does not exist as far as the Negro community is concerned," said Mr. Joy.

The average IQ of Negro students, he added, "is something like 89—or 20 points below that in the white community."

The board's findings of psychological problems, Mr. Joy testified, were based on a review of student records by a psychiatrist for the Virginia Department of Mental Health.

The psychiatrist advised that it would be unwise for students in this caategory "to be exposed to the pressures of attending a school of another race," said Mr. Joy.

Arlington School Supt. Ray Reid described factors in the adaptability category. Individuals in this group, he explained "would find it very difficult to adjust to new surroundings."

Leaders Replaced

Some, he noted, were leaders in their own group but would be only average students in the classes where they applied.

Mr. Reid said his views on students in the "adaptability" category would apply "irrespective of race."

Attorney Frank D. Reeves counsel for some of the Negro students, pressed Mr. Reid under cross examination on the race question.

Q. In considering these applications, did you apply these standards to any other students?

A. We had no other similar applications.

Q. What is it that made these applications subject to special consideration?

A. We had 30 applications of students to enter schools of a different race.

Q. Then, only in consideration of racial transfers did you make these considerations?

A. That's the way it worked out.

Racial Factor

Q. So race was the factor that distinguished these transfers from any other transfers?

A. Yes, I think that's so.

At another point, Mr. Reeves asked the superintendent if the school board's vote was unanimous in disapproving the applications.

Mr. Simmonds objected to the question. Judge Bryan said he did not think the answer had much weight on the issue, but would permit an answer.

"I have no record in front of me, I couldn't answer the question," replied Mr. Reid.

The Arlington School Board has been under a Federal Court injunction since last September forbidding any assignments based on race.

Negro students who showed up at white Arlington schools last September were turned away on grounds they had not been assigned there by the State Pupil Placement Board. Litigation followed, which resulted in Judge Bryan holding that Negro students did not have to use the placement procedure. He ordered the school board to admit seven Negro students to white schools last September, but their admission was delayed while the case was appealed.

Five of the 30 Negro applicants this year were among the seven involved in last year's integration order.

Act's Validity of Issue

Major issues before the court in the current hearing are whether the new Pupil Placement Act adopted in January is valid, whether the placement board or school board has the responsibility for p ing on the current applications, and whether the standards used by the Arlington school board in its recommendations are valid.

The hearing is on a petition by the 30 Negro students for a court order allowing them to enter the white schools where they have applied.

Also pending before the court is a request for guidance from the school board. Besides the major question of which agency should make assignments, the school board wants to be advised of the status of last year's integration order.

Dismissal Asked

Another motion offered at yesterday's hearing was by A B. Scott, counsel for the placement board, asking that the case be dismissed.

The standards unveiled by Arlington in court yesterday are in several respects similar to those used by the Norfolk School Board in its own assignment procedure.

In the Norfolk case, Judge Walter Hoffman held that the school board was justified in using scholastic achievement and geographical lines to refuse Negro transfer applications. But he ruled out racial tension and students isolation. As a result, the Norfolk School Board reluctantly has agreed to assign 17 Negro students to six white schools.

Virginia law provides for the automatic closing of a school when an integrated assignment takes place.

Board Postpones School Opening in Mixing Fight

Cases in Virginia at or Near Crucial Point

Times Picayune
P. 7
New Orleans La
Wed. 9-3-58

ALEXANDRIA, Va. (AP)—The Arlington County School Board, deep in litigation over efforts by Negroes to enroll in white schools, Tuesday postponed the opening of the fall term from Thursday to Monday.

The decision was taken unanimously in an emergency meeting at the end of a day of arguments before U.S. District Judge Albert V. Bryan.

Judge Bryan heard arguments for and against the admission of 30 Negroes into white schools. He indicated he would try to dispose of the case Wednesday.

A spokesman for the school board said the postponement of the opening had been approved by Virginia's attorney general, Albertis S. Harrison, as being in the best interest of Arlington schools and of the state generally.

MASSIVE RESISTANCE

The state administration has pursued a course of massive resistance to the U.S. Supreme Court orders against segregation of pupils. The Arlington case is one of several in Virginia which are at or near the crucial point. Virginia law requires the closing of any school that is integrated.

Earlier opposing lawyers disagreed sharply over whether race is the key factor in the assignment of pupils by the Virginia Pupil Placement Board.

A. B. Scott, attorney for the board, argued before U.S. Dist Judge Albert V. Bryan that pupils are not assigned to particular schools solely on the basis of race or color. He contended there is only an assumption—not evidence—that race is the governing factor.

Frank D. Reeves, an attorney representing 30 Negroes seeking admission to white schools in Arlington County, disputed Scott.

Reeves said that when the 30 Negroes were interviewed by a representative of the state board, every question put to them had a racial tone.

PLACEMENT LAW TEST

Reeves said none of them was asked any question relating to achievement. Instead, he said they were asked whether they were seeking admission to a white school on the basis of "your so called constitutional rights."

The arguments were presented to Judge Bryan in a hearing on the demand of the 30 Negro pupils that they be enrolled in white schools in this county, just across the Potomac River from Washington, D.C. Bryan ordered five of them admitted last year but enforcement was delayed by an appeal.

The case promises to evolve into a full-scale test of the validity of Virginia's pupil placement law, which gives the state board the power of assignment to schools.

The County Board of Education told Judge Bryan Tuesday it is ready to take action of its own on the Negro applicants if the court so orders. The board asked the judge's advice. Without court action, the board said, it will abide by the state board rulings.

DISMISSAL URGED

Reeves said the Negro applicants were told they would be happier if they remained in the schools they had attended in the past.

Scott argued that the proceedings, under which the 30 Negroes are seeking admission to white schools in the term opening Monday, should be dismissed.

He based this argument on the ground that the placement law should be allowed to operate until its constitutionality has been determined.

In connection with his contention that race plays the key role in the assignment of pupils, Reeves said that nowhere in Virginia has a Negro been assigned to a white school.

While the hearing here was in progress, schools opened in Warren County and the county seat of Front Royal. None of the 27 Negro pupils who have applied for entry into white classrooms appeared. Two of the parents of those pupils withdrew from a suit filed on their behalf.

14d(1) 1958

VIRGINIA

Prompt Court Action On Integration Sought By Alexandria Negroes

Petition Court To Force Action By School Board

By John Lawson
Staff Reporter

Post

Washington, D.C.

Sat., 9-6-58

P. C1

Fourteen Negro children asked yesterday for immediate Federal Court action forcing Alexandria school officials to admit them to white schools this fall.

Attorneys for the children requested a hearing before Federal Judge Albert V. Bryan at 10 a. m. Monday, opening day for Alexandria schools.

Filed in Alexandria Federal Court by Attorney Otto L. Tucker, the suit named as defendants the Alexandria School Board and School Superintendent T. C. Williams. It asked Bryan to issue a temporary restraining order pending hearings on an injunction which would prohibit school officials from denying admission to the children.

The action brought to eight the number of Virginia communities faced with desegregation suits. Six presently are under Federal Court orders to desegregate their schools.

A "Class Action"

The Alexandria suit, a "class action," was brought on behalf of all Negro children "similarly situated." An accompanying affidavit states that the 14 children will be denied admission to white schools on Monday "solely because of their race or color" and charges the denial constitutes a violation of the 14th Amendment to the Constitution.

All the 14 children applied for admission to the city's white schools on August 11 and were advised by Williams they would have to submit applications on Pupil Placement forms.

Most of them later attempted to register at white schools and were turned away.

The School Board's dependence on the State Pupil Placement Act, the suit alleges "is, in effect, a refusal and denial" of the applications.

Placement Act Hit

The suit contends that the children are not required to submit to the Placement Act, and it cites a ruling of Judge Bryan's last fell in the Arlington case that the Pupil Placement Board is "not an unfettered and free tribunal to act" on the applications.

The suit was filed on behalf of the children by their parents. Children named in the suit were Otis E. Jomes, Jessie May Jones, Betty Joe Jones, Thedosia Hundley, Pearl Hen Hundley, Timothy C. Taylor, Patsy Ragland, James Ragland, James E. Lomax, Margaret I. Lomax, Kathryn C. Turner, Sandra A. Turner and Gerald R. Turner.

Desegregation Front

The Alexandria move was the latest in a series of developments on Virginia's expending desegregation front. It followed a statement Thursday by Judge Bryan that Arlington schools could open Monday on a segregated basis pending his ruling on the application of 30 Negro children seeking admission to white schools.

Judge Bryan indicated he would not hand down his ruling in the Arlington case until after the Supreme Court meets Sept. 11 to act on the request for Little Rock desegregation delay.

Around the State

Other developments yesterday:

Charlottesville's School Board completed its work of passing on applications of 30 Negro pupils for white school admission, but refused to disclose its recommendations.

City Attorney John S. Battle Jr. said the results were mailed out yesterday to parents of applicants. They will be presented to Federal Judge John Paul at a 10 a. m. hearing Monday in Harrisonburg.

If Charlottesville follows the pattern set by Arlington and Norfolk in local pupil assignments, all 30 children will be denied admission.

On Almond's Request

Attorneys for the Norfolk school board postponed a request to Federal District Court for protection against a state court injunction restraining the board from assigning Negro pupils to white schools.

The attorneys said the postponement resulted from Thursday's policy statement by Gov. J. Lindsay Almond advising local school boards to steer clear of making such assignments and advising the Norfolk board not to ask the Federal court to set aside the injunction.

A final decision has not been made on whether to file a petition for protection at a future time, the attorneys said.

They added that the Governor's policy statement was being studied and that no decision will be reached for at least a day or two.

Some Dixie Schools Integrating Quietly

Delay Plea Rejected In Norfolk

Miami Herald

Miami, Fla.

Thurs., 9-4-58

By The Associated Press

Racial integration went ahead quietly in several Southern schools Wednesday while legal maneuvers aimed at blocking this social change continued in segregationist strongholds.

The Norfolk, Va., School Board's plea for a delay in school desegregation until next year was turned down Wednesday by a U.S. District Judge.

1-2A

But Judge Walter E. Hoffman said he may reconsider if the U.S. Supreme Court grants Little Rock, Ark., a 2½-year delay in school mixing or grants a review of that case.

The Supreme Court will hear arguments on the Little Rock case Sept. 11.

In another Virginia case, a federal judge was told the applications of six Negroes to attend a white school in Arlington County was turned down because of low achievement.

Dr. Barnard Joy, School Board member, told U.S. District Judge Albert V. Bryan that was the reason for rejecting the six.

Limited mixing of the races proceeded in a number of other Southern states. The only demonstration came at Greensboro, N.C., where a small group displaying a Ku Klux Klan banner and a Confederate flag gathered in front of the Gillespie Park School.

The federal government was reported recruiting deputy U.S. marshals in Arkansas for possible use at Central High School if it is reopened on an integrated basis. Reports of the recruiting came from Batesville, Jonesboro, Conway and Damascus.

In Van Buren, Ark., where white students jeered 13 Negroes entering high school Tuesday, the Negroes went to the white school Wednesday with no show of resistance.

In Charlotte, N.C., two of four Negroes who attended white classes last year entered Wednesday without last year's minor demonstrations.

It was just another school day in Kentucky on the second day of classes with four high schools desegregating for the first time. Twenty Negroes were enrolled at white schools in Fulton. In Nelson, a total of 20 Negroes entered three high schools.

Montgomery, Ala., police arrested the Rev. Martin Luther King Jr., Negro, who led the Negro boycott of Montgomery buses two years ago. King, taken into custody outside the City Hall, accused officers of "trying to break my arm." He said they grabbed him by the collar, choked him, and "when they got me to the cell they kicked me in."

The officers said King refused to move when they ordered him and a crowd of Negroes away from the City Hall where another Negro integration leader, the Rev. Ralph D. Abernathy, was accusing a Negro of attacking him.

King was held 15 minutes and released on $100 bond. He will be given a hearing on a loitering charge Friday in City Court.

Birmingham Pos

Birmingham, Ala.

Tues. 8-26-58

P. 3

Integration Fight In Virginia Moves Toward Showdown

EDITOR'S NOTE: This is the first of three on-the-spot reports backgrounding the importance of the school integration struggle in Virginia.

BY JERRY BENNETT
For The Post-Herald

RICHMOND, Va. — One of the most important rounds in the South's fight against desegregating its public schools is moving swiftly to a climax in Virginia.

Federal court orders to mix white and Negro pupils this year in Arlington, Charlottesville, Norfolk and Newport News have spotlighted the historic state as the key integration trouble spot of 1958.

With the new school term opening early in September, the tense controversy has produced a seemingly self-perpetuating series of legal moves as integrationists and segregationists seek victory for their views in the state and federal courts.

On the outcome of these maneuvers rests not only the continuation or the end of Virginia's separation of the races in public schools, but also:

—The future of the state's entire public education system.

—The future pattern of opposition to integration in many other states in the Deep South.

For the key issue in the Virginia struggle is the legal strategy known as "massive resistance." This is a series of state laws designed to prevent the implementation of the 1954 U. S. Supreme Court ruling that racial segregation in public schools is unconstitutional.

Some Southern states already have adopted similar laws Others are awaiting the outcome of the Virginia fight before acting.

* * *

Basically, this is how the Virginia law works:

Gov. J. Lindsay Almond is required to close any public school where white and Negro children are enrolled together. Following this action, the governor can try to reopen the school on a segregation basis.

If he fails to exclude Negro pupils, the governor may return the school to local community control if he is petitioned to do so by the school board and city council.

However, state funds will be automatically cut off to the school and all others in its class, either elementary or secondary, if the community decides to integrate. The state funds would then be given to pupils as grants-in-aid so they could attend private schools.

It is believed highly unlikely that Gov. Almond ever would return a school to a community where there was strong integration sentiment.

For this reason, some experts think that the "massive resistance" laws eventually spell the end to public education in Virginia.

Actively backing the laws are Virginia's segregationists whose principal organization is The Defenders of State Sovereignty and Individual Liberties.

Opposing them are Virginia representatives of the National Association for the Advancement of Colored People and some pro-public school groups. The latter claim to be neither segregationists nor integrationist. Spokesmen say that their only goal is to preserve the state's public education system.

The biggest challenge to "massive resistance" has come from Federal District Court judges who have ordered schools in Charlottesville, Norfolk, Newport News and Arlington not to 200 Negro pupils in September because of their race or color.

Negro pupils also have applied to attend white schools in Richmond, Warren County, and Alexandria. But so far, their applications have not been backed up by court action.

The Defenders and the NAACP are equally vocal about the righteousness of their campaigns. Each group is convinced that it will win the ultimate victory.

Robert R. Harmon, an official of the Charlottesville branch of the Defenders, declares, "Where can the Supreme Court say that the laws of any sovereign state are not valid? If it comes to the point where we have to choose between integration and closing the public schools, I think that we'll take the second choice and use private schools instead."

Typical of the opposing philosophy is the opinion of Victor J. Ashe, chief counsel for the Norfolk branch of the NAACP. He declares:

"The massive resistance laws are going to be made ineffective eventually by judges not giving the segregationists the opportunity to keep schools segregated while they appeal their cases to the courts, and by proper leadership in Virginia coming forth to encourage upholding the law of the land." He adds, "When these laws start to fall, they're going to fall fast."

Officials of the U.S. Justice Department refuse to make any public comment whatsoever on the Virginia school situation.

Virginia observers believe that there is little chance of schools being integrated, or closed, in Newport News this September. Since this coastal city was ordered to desegregate, it has combined with the city of Warwick to form a completely new community.

Segregationists say that the federal order does not apply to the new school board. The NAACP disagrees. A decision is expected soon.

In Norfolk and Charlottesville there are almost daily developments as events move to a showdown.

Some officials of The Defenders foresee delays in these cities too. They point out that local school boards there would be operating illegally if they assigned either Negro or white pupils to specific schools. This is due, they explain, to another law in the "massive resistance" series that empowers only a three-man State Pupil Placement Board to assign children to specific schools.

It is expected that the local board would appeal its case if such a situation occurred. Integration might be delayed for a year while the appeal was being ironed out in court.

It is possible, however, for the federal judges in the Norfolk and Charlottesville cases to assign Negro pupils to specific white schools. That is what has happened in Arlington, just across the Potomac from the imposing marble building of the Supreme Court and the classic colonial grandeur of the White House.

14d(1) 1958

VIRGINIA

No Diplomas For Racial Troublemakers

Journal & Guide
Sat 5-24-58
Norfolk Va.

ROANOKE, Va.—Officials at the integrated Roanoke Catholic high school will not tolerate any racial incidents like those which gave Central high school in Little Rock, Ark. unsavory publicity around the world.

Seniors were bluntly warned Sunday that anyone responsible for any further racial incidents at the school will be denied his diploma at graduation. Any seniors guilty of starting any incidents will have to attend school another year before graduating.

* * *

SUNDAY'S warning from the policy-making board of the school followed the withdrawal of Vernon Dudley, 17, of the senior class, who was reportedly shoved into his seat by another student. The incident occurred Friday shortly after the senior class had been informed that a senior banquet and prom, scheduled at Hotel Roanoke, May 27, had been cancelled.

Mr. and Mrs. Harvey G. Dudley Jr., parents of Vernon, withdrew four of his brothers and sisters from St. Andrews. ...ther Catholic school near-... y. Mrs. Dudley said she and ...r husband attended a meet-... g of parents when senior ...ss activities were planned. ...e said there was no indica-... n that her son would not be ...rmitted to attend the ban-... uet.

Journal & Guide

VERNON learned Wednes-... y that he would not be per-... tted to attend the dance ...en pupils were asked by ...chers to indicate if they ...anned to attend the prom. ...o colored students in the ...nior class said they would ...end, and were told they ...uld not.

Sat 5-24-58

Sunday's statement by Msgr. L. Flaherty, the Very Rev. ...n S. Igle and the Rev. ...bert F. Beattie, members of ... policy-making board for ... high school, came as re-...ts grew that the children ...uld return to school on ...nday.

* * *

...T SAID the board "would ...e to remind all members of ... senior class that the main ...rpose of Roanoke Catholic ...gh School is to provide those ...periences which, with the ...p of God's grace, are best ...culated to develop in its ...dents the attitudes, ideals ...d virtues necessary for Christ-like living in American democratic society."

The statement added:

"If, during the next two weeks, any senior betrays by his conduct that he has not absorbed the fundamental of Christ-like living, he shall be given the opportunity of spending another year at the high school before being considered eligible for graduation."

14K

* * *

THE PRIESTS also had some suggestions to make concerning the senior banquet and dance, cancellation of which—because both Negroes and white students would be present — apparently led to last week's incident involving young Dudley.

"... The board realizes that acceptance of colored students imposes the obligation of treating them without discrimination in all facets of the official program of the school," the statement said. "At present in Virginia, there is no completely satisfactory solution to the dilemma."

The board said the dance could be cancelled completely or it could be held on school property with the colored and white students dancing at separate places.

The board left the choice of either alternative up to the faculty moderator.

Group Files New Suit on Seating Law

Post & Times Herald
Washington D.C.
Sat 4-26-58

An Arlington interracial study group asked Circuit Court yesterday to force the County School Board to allow it to hold integrated meetings in school buildings.

The Community Council for Social Progress, in a suit filed by Attorney David Carliner, began a new attack on Virginia's segregated seating law which it said was in violation of the Fourteenth Amendment and the Virginia Constitution.

Earlier this month the School Board denied the council the use of Washington-Lee High School's Little Theater for a meeting on May 25 after the council said it intended to disregard segregated seating requirements.

The Board ordered Assistant School Superintendent E. J. Braun to refund the $15 rental fee the council had paid. The Board said it did not want school property used as a "battleground" to test the seating law.

James H. Simmonds, attorney for the board, said the 32-year-old law was still valid although Circuit Judge Walter T. McCarthy ruled in January it violated the Fourteenth Amendment.

Simmonds said the State Supreme Court of Appeals and United States Supreme Court had not ruled on the law's validity. Another Circuit Judge, Emery N. Hosmer, upheld the law's constitutionality last year.

The suit asked for a temporary injunction to restrain the board from preventing the May 25 meeting and a permanent injunction to keep the board from preventing future meetings of the council in schools.

VIRGINIA REPLY: EMPTY SCHOOLS

'Will Be No Enforced Integration'—Almond

Times Picayune
P. 6
New Orleans La.
Sat 8-23-58

RICHMOND, Va. (AP)—Gov. J. Lindsay Almond Jr. said that if federal troops are sent into Virginia to enforce public school desegregation they will patrol empty houses.

"There will be no enforced integration in Virginia," Almond said.

He called upon the people of Virginia to stand with him and the state's General Assembly in efforts to maintain the state's traditional segregated school system.

Almond's news conference remarks came in response to newsmen's questions for comment on President Eisenhower's statement Wednesday that it was the "solemn duty" of all Americans to comply with federal court school desegregation orders.

Almond said, "This is not a matter of defiance. I have no spirit of defiance." He said the obligation to uphold the U.S. Constitution "is of just as much concern of the governor of a sovereign state as it is to the President.

"It is my deep conviction that the—Supreme Court's—decision is in violation of the Constitution. My obligation is just as strong as it ever was. My obligation to uphold law and order is a matter on my conscience, a matter I will diligently observe."

He said he had read the President's statement and added, "the matter is exactly where it was before it got started."

Almond's comments came as a U.S. District Court hearing was in progress at the Atlantic port of Norfolk on the petitions of 50 Negroes for admission to white schools there.

Norfolk, Charlottesville, and Arlington are under U.S. District Court orders to desegregate their schools starting with the term beginning next month. Virginia law calls for the closing of any school in which the races are mixed.

News Courier
Charleston S.C.
Fri 9-5-58

(AP Wirephoto.)

Virginia's Governor Issues Advice

Virginia State Trooper A. F. Hillman leaves the office of Gov. J. Lindsay Almond (in background) with a message from Almond to deliver to Charlottesville school officials. Identical messages went by Trooper also to ~~Norfolk~~, ~~Prince Edward~~, Arlington and Newport News. The governor advised the officials to steer clear of making any assignments of Negro pupils to white schools. He said the State's Pupil Placement Act has stripped local boards of assignment powers and contended Supreme Court decisions are merely negative, not "ordering" any board to integrate.

Aug. 8-24-58

World P t Atlanta, Ga.

VIRGINIA SCHOOL TEST—Sylvia Morton (left) and Roberta Robinson talk with a reporter as they enter Burley High School in Charlottesville, Va. They are two of the seven Negro applicants to Charlottesville's white high school, who took achievement tests in the city's school assignment program. Four others failed to appear for the tests. (Newspress Photo).

14d(1) 1958

VIRGINIA

STYMIED POLITICIANS TURN ON TEACHERS

By RUFUS WELLS

Afro-American

RICHMOND..

Lt. Gov. A. E. S. Stephens of Virginia tried to throw a "scare" into Old Dominion teachers last Friday.

Baltimore, Md.

Criticizing the loyalty of a group of Norfolk teachers, Stephens' address could be interpreted as putting the group into the same boat with the Virginia NAACP.

The teachers, with whom the lieutenant governor was so thoroughly disgusted, recently voted to discontinue taking part in a private makeshift school program.

Sat. 11-8-58

To continue in the program, the teachers said, would be to defeat the purpose that the stop-gap schools were supposed to avoid.

* * *

STEPHENS also rapped the Virginia Educational Association and its 25,000 members.

"Where is their loyalty?," he wanted to know.

Gov. J. Lindsay Almond's top aide questioned the teachers' "loyalty" for calling on the governor to convene a special session of the legislature to take corrective action to re-open schools.

P. 9

"We are not trying to close schools," said Stephens, adding "we are trying to save them."

He said that every loyal and faithful teacher and citizen should stick with Virginia's "massive resistance" and anti-integration program.

* * *

THE VIRGINIA Teachers Association, the colored educational organization, took action along the same lines as their counterparts.

At a Thursday session, the VTA urged support of the NAACP efforts to end segregation, higher pay and called on the governor to convene a special session of the legislature to junk anti-integration laws.

With six schools closed in Norfolk, and others shut down in Charlottesville and Front Royal, the tide had turned in the Old Dominion and "massive resistance" has run its course.

* * *

TODAY, with nine public schools closed, and 13,000 pupils denied public education, Virginians are demanding a more realistic approach to the school problem.

Now convinced that massive resistance is no panacea, and that school desegregation is inevitable, the majority of Virginians are seeking other solutions.

They have rejected massive resistance.

* * *

IRONICALLY, this rejection was hastened, not by Federal court orders, or the mild pronouncements of President Eisenhower, but by an act of Governor Almond.

By closing the schools and putting 13,000 children into the streets, Almond brought the stark realities of the situation home.

Millions of Virginians who heretofore had been misled by the promises began to brush away clouds of darkness to see the light of truth.

* * *

AT BI-WEEKLY press conferences in August and September, Almond held fast to the massive resistance line.

He urged the people to be patient and to support him in this crucial hour.

On Sept. 30, Almond held his last press conference to date. Since then he has postponed the bi-weekly conferences. Last Tuesday he postponed them indefinitely.

STATE SEN. George S. Aldnizer of Harisburg said:

"The public school system is such a vital thing that it should not be allowed to die without a vote of the people."

Another Virginia legislator has called the massive resistance laws "unconstitutional, inadequate and just won't work." He suggested that the whole program be scrapped.

Only a year ago politicians pledged to fight to the bitter end. Now they are not sure.

Del. Robert Whitehead of Nelson, Va., suggests that Almond make a reappraisal of the program and make a fresh start.

* * *

THE CHANGING of times can even be reflected in the press.

The Roanoke Times, which supported massive resistance last year, now calls for a shift in state policy.

The Norfolk Ledger Dispatch also has changed its tune.

Even the Richmond News Leader, a leader of the resistance movement for years, is now showing evidence of weakening.

It is still vigorously opposed to public school desegregation, but it is no longer publishing as many editorials on the subject.

* * *

WITH PUBLIC support slipping daily, Governor Almond has to come up with a decision.

Regardless to what decision he comes up with, the governor will have to give serious consideration to new public opinion.

No formal announcement was forthcoming, but it was obvious that massive resistance was at the end of the line.

* * *

FACED WITH the concrete fact of 13,000 locked out of school and the abstract promises of a solution, the people made a decision.

They decided that they would prefer desegregated schools to no public schools at all.

Last week a group of white pupils and parents sued Governor Almond in Federal District Court in Norfolk, asking that schools be re-opened.

The Virginia Conference of the NAACP, a few days later, filed a third suit against the governor.

* * *

A FINAL show-down in the seven-year school hassle is now in sight. The three latest suits have put the chief executive within the range of Federal court restraining orders.

Will Almond, a distinguished lawyer and able politician, risk a head-on collision with the Federal Government?

Or will the Governor of Virginia bow to the decision of the court and seek a realistic solution to the state's school problems?

* * *

DISTRICT L of VEA has urged that steps be taken immediately to re-open Norfolk public schools.

District A of VEA, in a meeting at Fredericksburg, has voted down a resolution that would have supported Almond's last ditch stand.

One member, John B. Durham, principal of Stratford High School, asked:

"Are we complimenting the governor on closing the schools? I, for one, am not in favor of doing that."

14d(1) 1958

VIRGINIA

Segregation Suit Lost By Virginia

Courier-Journal
Louisville, Ky.
Tues. 5-20-58

Way Is Paved For Enforcing Integration Law

P.1

By The Associated Press

Washington, May 19.—The Supreme Court Monday nudged Virginia a big step nearer a showdown on its policy calling for closing of public schools, rather than desegregating them.

Without comment the court rejected an effort by Virginia to stave off an order for the admission of seven Negroes to white schools in Arlington County, just across the Potomac River from the national capital.

By refusing to hear the case the high court left the way open for enforcement of the order issued by United States District Judge Albert V. Bryan of Alexandria.

Judge Bryan's order called for the admission of the seven Negroes at the beginning of the school term last fall, but he held up its effectiveness pending appeals. The U. S. Court of Appeals in Richmond last February 12 upheld Bryan.

Only One Move Left

The Supreme Court's action Monday apparently left Virginia with only one more legal move available—to ask the high court to reconsider its action. The time limit for such pleas is 25 days.

Of five desegregation cases involving Virginia, the Arlington case may provide the first showdown on Virginia's various segregation laws. Judge Bryan's order is the only one so far that has named the Negroes to be admitted to white schools and specified the schools.

Virginia laws call for the closing of public schools wherever integration takes place. And if the schools are reopened on a desegregated basis, State aid is to be cut off.

Judge Bryan did not rule out as invalid a Virginia pupil-placement law. But he did say that Negroes could not be forced to use the law because submission to it would amount almost to assent to a racially segregated school.

Conviction Struck Down

In another action Monday the court struck down the 1956 contempt-of-Congress conviction of Harry Sacher, New York attorney, who has appeared for the defense in numerous Communist cases, including the trial of 11 top party leaders under the Smith Act.

Sacher was convicted for refusing to tell a two-man Senate internal-security subcommittee whether he was a member of the Communist Party, had ever been, and whether he had ever been a member of the lawyers' section of the Communist Party. He received a six-month sentence, plus a $1,000 fine, but has remained at liberty on bond pending the outcome of his appeal.

Decision Is Explained

The unsigned majority opinion said the questions Sacher refused to answer related to matters not clearly pertinent to the subject of the inquiry the subcommittee had been authorized to make.

In other major actions Monday the high court also refused to reconsider its earlier rejection of appeals by two former Truman Administration officials, T. Lamar Caudle and Matthew Connelly, from their convictions on conspiracy charges in an income-tax case. They face two years in prison and a fine of $2,500 each.

INTEGRATION TEST DRAGS IN VIRGINIA

U. S. Judge Sets a Hearing to Get More Evidence on Prince Edward Schools

14d(1)

By ANTHONY LEWIS

Special to The New York Times.

Times

RICHMOND, Va., June 6—A Federal District judge refused today to proceed at once to set a date for integration of the public schools in Virginia's Prince Edward County.

Instead, Judge Sterling Hutcheson called for a further evidentiary hearing on July 14 and 15. He asked attorneys for the county's school board and Negro children to present at that time the facts on "conditions existing in this community."

Prince Edward County is in South Side Virginia, the part of the state most bitterly opposed to racial integration. County leaders have sworn to abandon all public schools rather than integrate. The general belief is that they will do so.

Because of this community resistance, Judge Hutcheson once before refused to set a date for the beginning of integration. But the United States Court of Appeals for the Fourth Circuit overruled him, holding that he must fix some "time limit for compliance" with desegregation decrees.

The case was back before Judge Hutcheson today because the Supreme Court had refused to review the Court of Appeals decision. It had been expected that lawyers would directly argue about setting a date for segregation and that Judge Hutcheson might rule.

N. A. A. C. P. Urges Action

Sat. 6-7-58

Attorneys of the National Association for the Advancement of Colored People asked the judge to direct the school board to take some action toward desegregation at the next school term, beginning in September. It was not clear whether the N. A. A. C. P. was asking for an order that would require admission of Negro children then or one that would merely require adoption of a plan by the school board.

Archibald G. Robertson of Richmond, representing the school board, said he was unprepared to argue about a date for compliance. He would have to know the current facts about Prince Edward, he said, and the other side had made its proposal so late that he had not had time to prepare.

Oliver W. Hill of the N. A. A. C. P. staff in Virginia argued that the Prince Edward case had been in the courts since 1951. He said there should be no further delay.

Judge Hutcheson asked, "How is this Court to determine the proper date without hearing the factual situation there?"

He based his ruling in part on a similar case in Dallas. There a District judge set a date for implementation of a desegregation decree without giving the school board a hearing, and the Court of Appeals for the Fifth Circuit reversed

on that ground.

There were some indications that the N. A. A. C. P. did not want to press the Prince Edward case to issue immediately. Four other school integration orders are ready to take effect next fall in less resistant areas of Virginia. The group apparently wants to let those go ahead of Prince Edward.

In Charlottesville and Arlington Counties Federal judges have indicated that previous integration decrees, now fully appealed, must take effect next fall. A similar ruling is expected tomorrow after a hearing on a case affecting Norfolk and Newport News.

Many Still Segregated

NASHVILLE, Tenn., June 6 (UPI)—The school year is closing with 2,125 of the South's 2,889 school districts still maintaining racial segregation, the Southern School News reported today.

The News, a monthly publication of the Southern Education Reporting Service, said that separate white and Negro schools still were maintained in Virginia, South Carolina, Georgia, Florida, Mississippi, Alabama and Louisiana. Desegregation has begun in 764 Southern districts.

Agree On Limited Integration

14d(1)

Defender

P-1

Chicago

CHARLOTTESVILLE, Va. — (UPI) — Parents of children in a white school threatened with admission of Negroes have voted to permit a "measure of integration" rather than to close the public school, it was disclosed Thursday.

Sat.

The parents, from the Venable school which has 13 Negro applicants for September and is under court order to accept them, voted 177-128 in favor of integration.

School boards of Charlottesville, Arlington and Norfolk have been ordered to integrate classes and are considering more than 75 applicants of Negroes.

The vote was the first stand taken publicly by parents in the state in behalf of any kind of school integration. Several church groups have opposed a state law that makes it mandatory that public schools be closed if they are integrated.

The Venable school Parent-Teacher Assn., released results of a poll taken among the parents. They showed 177 voting for partial integration; 128 for closing the school under Virginia's massive resistance laws; and 138 not voting.

Sat. 6-21-58

The PTA group mailed the questions to 459 parents in the white school after 13 Negroes applied for admission next September.

Their applications were filed after U. S. District Judge John Paul ordered the city to desegregate its schools in September.

The parents were asked to vote their choice of a "measure of integration" in the school or a "closed public Venable school." The vote, criticized by segregationists, was "the only choice as we see it," PTA president Mrs. Lester R. Wilson said.

Mrs. Morris Brown, head of the council on human relations here, said "it was gratifying to learn of the outcome of the poll" at the elementary school.

"When the entire community has become aware of the actual choice before it," she said, "I believe they will accept a similar preference."

Robert Ready, who ran in the Democratic primary for city council on a segregation platform, said "the questionnaire solves nothing."

"If the question had read, do you favor integration or the closing of the schools," he said, "the results of the poll would have been different. There is no such thing as partial integration."

Don't want schools to close in Va.

Afro-American

P1

CHARLOTTESVILLE, Va. — Virginia's program of "massive resistance" began crumbling this week as white parents moved to prevent a shutdown of public schools in September.

Parents in a white Charlottesville elementary school voted 4-3 in favor of some integration rather than see the school closed under the State's anti-integration laws. The vote was 177-128.

In Arlington, 600 white residents met at Trinity Presbyterian Church and organized the Committee to Preserve Public Schools. They elected O. Glenn Stahl, a former Arlington school board member, as president, and pledged to pursue "every legal means to keep public schools open."

Sat. 6-21-58

Baltimore, Md.

They applauded a legal subcommittee report which said that Virginia's school closing law violates state and federal constitutions, and the school closings can be prevented by action in state or Federal courts.

* * *

MEANWHILE, THE Norfolk City School Board said it would admit qualified colored pupils who apply for enrollment in white schools.

Paul Schweitzer, board chairman, said:

"We're not going to find ourselves in contempt of District Court. If there is anything we can do to keep every child in school, we're going to do just that."

The Norfolk School Board, under court orders to desegregate in September, met to discuss a policy toward 44 colored applicants to white schools but took no action.

* * *

OTHER DEVELOPMENTS indicating that the State's massive resistance program was coming apart at the seams were:

A statement issued by 28 Arlington ministers opposing the use of church facilities "as a means of evading or circumventing" court - ordered desegregation.

The statement, made by the ministers of 24 Arlington churches, representing ten denominations said they were convinced "that enforced segregation of our fellow men because of race is morally and spiritually wrong."

Citing the Supreme Court's 1954 school desegregation ruling, the ministers said:

"These rulings are the law of the land and must be respected. If individuals or groups defy these court decisions, they are inviting anarchy in which no one's rights will be preserved and our public school system endangered."

* * *

SOME ARLINGTON parents, meanwhile, were planning to avoid the coming school crisis by enrolling their children in integrated public schools in the District of Columbia.

District School Superintendent Carl F. Hansen said that Arlington pupils "would certainly be welcome" in District schools to the extent that space exists. It was estimated that several hundred could be absorbed in the District schools.

However, Arlington has a school population of some 6,000.

* * *

IN VIRGINIA, state law requires the closing of integrated public schools until re-opened by the Governor. If they were re-opened on a desegregated basis, State school funds would be cut off.

School boards in Arlington, Norfolk, Charlottesville and Newport News are under court orders to desegregate their public schools in September.

* * *

IN OTHER school segregation developments:

The Arkansas State Board of Education rejected the desegregation plan of a Little Rock insurance executive. Known as the Thomas Plan, it would have halted integration at Little Rock's Central High School and provided an interracial commission to work out the state's desegration problems.

Earlier the plan was rejected by the White Citizens Council and colored leaders of Little Rock.

Meanwhile, the Little Rock School Board and NAACP officials awaited a ruling from Federal Judge Harry J, Lemley on a request by the Board for a 2½ year postponement of integration at Little Rock.

Judge Lemley finished hearings arguments on the petition last week and said it would be several weeks before he ruled on the matter.

* * *

HOWEVER, IT appeared that integration would continue at embattled Central High School this fall regardless of the judge's decision.

If Judge Lemley grants the Board the postponement, the NAACP will appeal the ruling; if he denies it, the Board will appeal.

At any rate, the status quo would be maintained in Little Rock pending action of a higher federal court.

* * *

IN BATON ROUGE, La. this week, 59 Louisiana State University faculty members expressed opposition to segregation bills to close public schools.

One of the educators, Waldo F. McNeir, professor of English, under questioning admitted: "Yes, I'm in favor of integration."

Another, Dr. Charles Reynard, law professor, who teaches constitutional law, asked if he favored integration said: "I am for the supreme law of the land."

At a hearing before a state legislative committee, Dr. Reynard pointed out that the state's 1954 school segregation laws were ruled unconditional, and added:

"I believe this program will be held invalid as were the others."

He was refering to a series of laws patterned after anti integration legislation in Virginia and Alabama, which would close integrated public schools.

* * *

THE STATE legislators ordered LSU President Troy Middleton to bring the college deans to a hearing to explain their attitudes toward integration at the university.

One member of the state segregation committee, Representative Ford Stinson, said he favored holding up the state university's budget for the next year until "this mess is straightened out."

Meanwhile, the LSU alumni council rallied behind the professors by calling on its members to appear at the hearing and help defend "the good name of LSU and its reputation for independent expression of its faculty."

Trouble in Va. ahead, ADA says

Afro-American

Baltimore, Md.

Sat. 6-14-58

BALTIMORE

Unless the Federal government steps in with forthright and positive action, the impending struggle over school integration in Virginia will make Little Rock seem like a peaceful picnic. P. 1

That is the grim prediction of Robert R. Nathan, national chairman of Americans for Democratic Action, who addressed an audience of more than 200 persons at the Phoenix Club Wednesday night.

"I see no difference between what Governor Almond of Virginia has announced he will do from what Governor Faubus of Arkansas did last September," Nathan told a Sheraton Hotel press conference that preceded his formal address.

"If there is any difference it is that Virginia will have five Little Rocks while Arkansas had only one."

* * *

DECLARING THAT Little Rock shocked the world and robbed the United States of its prestige among the family of nations, Mr. Nathan asserted that in September with the racial disturbances right on the Capitol doorstep, President Eisenhower will be forced to take positive action.

The speaker, who just returned from his 11th trip around the world, declared that "two big issues that must be resolved in this country are the recession and civil rights."

An internationally known economist, he offered a three-point program for the solution of recession, but had no detailed suggestions on the burning issue of civil rights.

* * *

FOR THE recession, Mr. Nathan proposed that Congress should first enact a realistic bill for the extension of unemployment benefits; then reduce taxes for middle and low income families: and then establish a meaningful public works program.

Afro-American

"Up to now the Administration and the Congress have been shadow boxing with the recession and with each other," he charged. "The Democratic leadership in Congress is not distinguishable from the Republican and the Eisenhower leadership in this crisis is not distinguishable from that of Hoover 25 years ago." P. 2

Placing the major blame for the recession on Mr. Eisenhower, the speaker charged the President "has spoken of sacrifice, but asked none.

"He has spoken of challenges but issued none. He has spoken of a crusade, but led none. He has, by his words and by his own demeanor, dissipated the sense of urgency instead of capturing it for the national effort the occasion demanded.

6-14-58

* * *

"IF HE has understood the country's situation, he has been unable or unwilling to communicate it to his countrymen. If he has not understood it, he stands convicted of momumental incompetence."

Calling upon his hearers to demand action, Nathan asserted: "If leaders fail us, we will have to summon all political wisdom and resources that we, as a people, are capable of, and build up from below what is lacking from above."

"Liberals and conservatives may disagree on many points of action, but if they agree on the need to act, there is hope that leaders may still be goaded to action. This must be our task above all others."

* * *

Baltimore, Md.

HOWARD H. MURPHY, Baltimore ADA chairman presided, while Mr. Nathan was introduced by Jack Levine, vice chairman of the local ADA.

Herbert Fedder, chairman of the steering committee on civil rights, explained the Dixon public accommodations bill and call upon all persons present to urge upon their councilmen to support the measure when it comes up for a vote.

C. W. MACKAY

Mrs. Lane Reaffirms Belief in Segregation

By a Star Staff Writer

LEESBURG, Va., June 26.—Mrs. Helen Lane, conservative member of the Arlington County School Board, last night reaffirmed her belief in segregation, States rights, and the Defenders of State Sovereignty and Individual Liberty.

Mrs. Lane, addressing the Loudoun County chapter of Defenders, asserted she had been misquoted in a Washington newspaper report Tuesday saying that she favored keeping schools in Arlington County open even if it meant partial integration.

P C 3

Sees Remarks Twisted

She said that her remarks had been taken out of context and twisted to give a false impression of her views. She denied any statements derogatory to the Defenders organization.

Washington

Star

Thurs. 6-26-58

Stirling Harrison, president of the Loudoun Defenders chapter and commonwealth's attorney of Loudoun County, said that he had sent Mrs. Lane a telegram canceling her engagement to address the Defenders after the newspaper story.

Mr. Harrison said, however, he was glad to learn from Mrs. Lane that the article was false and was glad to have her as a speaker.

About 45 members of the Loudoun Chapter attended last night's meeting.

Mrs. Lane asserted that Arlington County would have enough money to keep schools open even if the State withdrew its aid under provisions of the massive resistance laws. State funds automatically would be cut off if any integration occurred in Arlington.

Would Cut Out Frills

She said schools in the county could be maintained without State aid if some of the frills of education were cut out.

She told members of the Defenders that they should look carefully at text books in their schools, the type of literature and the means of teaching in all schools.

She complained that many of her complaints have been ignored by other board members and charged that in one instance her statements to the board had not been recorded in the minutes.

Mrs. Lane also labeled as false a statement that she was seeking the chairmanship of the school board.

She said that while she did not want the chairmanship she would not shirk her responsibility if it were given her.

Va. Acts On School Closing

Enquirer P.R.-2
Sun. 3-2-58

RICHMOND, Va., March 1 (AP)—Gov. J. Lindsay Almond was assured today of passage of a bill to give the governor the say-so whether operation of a school closed by integration should be turned back to the local school board.

The Senate gave 27 to 9 approval to the measure yesterday after an hour's debate. The House approved an identical bill Thursday with only nine dissenters. Now it is merely a matter of one of the houses passing the other's bill.

Under present law, if a school is closed by integration, the governor takes over and tries to reopen the school on a segregated basis. If he fails, and is petitioned for the school's return by either the school board or the governing body of the locality, he must return the school. It then may be operated on an integrated basis with local funds only.

Under the proposed legislation, the governor "may" turn the school back to local authorities, and then only if petitioned by both the school board and the local governing body.

Gov. Almond has said the legislation is necessary to correct a "glaring defect" in the law enacted at a special session of the Legislature in the summer of 1956.

Bill To Tighten Segregation Is Submitted In Va.

Daily World
Atlanta, Ga.
Tues. 3-4-58
P. 2

RICHMOND, Va. — (NNPA) — A bill to tighten Virginia's "massive resistance" laws to keep the state's public schools rigidly segregated, despite the Supreme Court decision, was submitted to the Virginia General Assembly Tuesday by Gov. J. Lindsay Almond, Jr.

Under present law a locality could operate integrated schools if ordered to do so by a Federal court, with its own funds even though state funds would be cut off.

Identical bills introduced in the House and Senate Tuesday would give the Governor the power to keep individual schools closed.

"I deem the enactment of this measure of vital importance to the preservation and continued operation of our public free school system everywhere in Virginia so as to afford through joint state and local cooperation educational facilities and opportunities to all our children," Almond said in a special message to the Legislature.

At present, under the "massive resistance" program of ex-Gov. Thomas B. Stanley, a school is automatically closed if a single colored child is enrolled.

The Governor decides whether it shall be reopened and under what conditions. But the local school board may regain control of the school by asking the Governor to to vacate his authority.

The bills introduced Tuesday would remove the mandatory provision that the Governor return the school to the locality, making it discretionary with him. Also, both the governing body and the school board would have to make the request instead of only one of them.

Almond said the bill he submitted "would cure what I conceive to be a glaring defect in existing law by requiring the joint action of the school board and the governing body of the political subdivision as a condition precedent to a request to the Governor to restore the facility to local operation and control with its consequent responsibility . . . . ."

One of the factors that spurred Almond is believed to be the fact that the Arlington County School Board is under an order to admit seven colored pupils to four white schools in that county.

Under existing law, when Arlington County School Board obeys the order of the Federal District Court at Alexandria, the four schools to which the colored pupils are admitted will be automatically closed and all state funds for schools cut off from Arlington County.

Virginia's Assembly Grants More School Closure Power

Advertiser
Montgomery, Ala.
Tues. 3-4-58

RICHMOND, Va., March 3 (AP)—The General Assembly today gave Gov. Almond further school closure powers and moved toward asking the state bar to crack down on any unauthorized practice of law in racial litigation.

These actions marked the virtual windup of the legislation dealing with racial matters as the assembly speeded up its drive in the final week home stretch to adjournment.

In other top developments:

Gov. Almond asked the assembly to set up a legislative commission to study proposed increase in student fees and tuition at state-supported colleges to make them more realistic in the light of present costs. The Senate promptly approved such a resolution offered by Sen. Garland Gray who said an increase of only $100 per student would mean as much as $4-million in revenues.

Final action on school closure came with Senate passage by a 32 to 5 vote of the Little Rock Jr. Bill to permit the governor to shut down all schools in a district where one is patrolled by uninvited federal authority. The parent Little Rock Bill, automatically closing a school policed by federal forces, already has been enacted.

Court Ruling Deals Blow To School Bias

Daily World
Atlanta Ga.
Tues. 3-4-58
P. 1

WASHINGTON, D. C.—(SNS) — The state of Virginia received another setback Monday in its segregation policies when the U. S. Supreme Court failed to review a discrimination decision.

The decision involved a school in Prince Edward County, Virginia. The ruling directed U. S. District Judge Sterling Hutcheson of Richmond, Virginia to set a deadline for the Prince Edward school officials to begin carrying out the U. S. Supreme Court's 1954 ruling against segregation in the public schools.

The decision was an aswer to an appeal to the Supreme Court made by the state of Virginia.

The Supreme Court's refusal to step into the case was announced in routine fashion in a long list of court orders Monday. The action means that the decision of the lower court ordering integration stands.

Prince Edward County is located in southern Virginia. The largest community is Farmville with a population of about 5,000. The case was one of the first involved in the Supreme Court's decision of 1954.

NEGRO CHILDREN WITHDRAWN IN CATHOLIC SCHOOL HASSLE

Daily News P. 1
Sat. 5-17-58
Jackson, Miss.

ROANOKE, Va. (AP) — Five Negro children have been withdrawn from Catholic schools here as a result of the first interracial incident since Virginia's Catholic schools were integrated nearly four years ago.

There are indications, however, they might return to classes soon.

The five, brothers and sisters, were taken out of Roanoke Catholic High School and its adjoining elementary unit, St. Andrew's, yesterday after the oldest—Vernon Dudley, a 17-year-old senior—reported he was shoved into his seat by a white student.

Dudley said the shoving occurred after the class was told the senior prom and banquet had been canceled. The cancellations followed a protest by the boy's mother against a school decision that Negroes would not be allowed to attend the dance.

The boy is the only Negro in the class of 29 students.

Virginia Senate Votes New Ban On Integration

Eloquent Protest Of Closing Schools Made by Boothe

By Robert E. Baker
Staff Reporter

Post Times
Herald P. B1
Washington, D.C.
Sat. 3-1-58

RICHMOND, Feb. 28

After an eloquent dissenting speech by Sen. Armistead L. Boothe of Alexandria, the Senate passed a bill today to prevent a locality from operating integrated schools at its own expense.

The bill passed 27-9, but there was evidence that Boothe's message had more effect than the vote showed; several opponents approached him later and congratulated him on his speech.

Some observers and legislators called it the best address before the Senate in many years.

The bill, blessed by Gov. J. Lindsay Almond, would change one of the state's massive resistance laws. It now requires the closing of an integrated school while the Governor attempts to reopen it on a segregated basis. It also requires the Governor to allow the school to reopen at the request of the local school board or governing body.

The change voted by the Senate would let the Governor keep the school closed even if requested to reopen it by both the governing body and the school board.

Boothe indicated the schools in Arlington county would not stay closed. Arlington has appealed Federal Court orders to desegregate. Boothe, speaking without text, said to the Senate:

"Do you think in the shadow of the Capitol of the United States, just across the historic Potomac river from a capital named for our first President, George Washington, the most important capital on earth today, with all eyes of the world focused upon it, topped by the hills of Arlington where Lee himself lived—

"Do you think those schools are going to stay closed?

"Do you think those children, 25,000 of them, are going to go unschooled?

"Do you think the schools those people have built and paid for are going to stay closed, even with all the might of the commonwealth of Virginia thrown into the battle—

"Do you really think that will happen?"

He called the implications of the bill "more serious than any other since 1954." He said of the proposed power for the Governor:

"Gentlemen, no man should be given this power over the fundamental rights of the people . . . a new departure in traditions of the commonwealth.

"Is there a man on this floor today who believes this law would be constitutional?"

He warned that Arlington may be forced to enter seven Negroes into white schools this fall under final court order and said:

"Just look at the picture we will have created over these seven children. Arlington which last year paid $9 million in taxes to Virginia will no longer get $1.3 million for the operation of its schools."

(State law requires the withholding of state school funds to integrated schools.)

At one point, Sen. E. O. McCue of Charlottesville asked if Boothe thought the white people in Prince Edward county should be allowed to close their schools. Replied Boothe:

"I am not arguing against Prince Edward's right to close its schools. But I am arguing for the right of others to keep them open if they want to."

Other Senators also expressed opposition to the proposal. Richmond Sen. Edward E. Haddock said southside Virginia is attempting to impose its will on the rest of the state. He added:

"How long in God's name are we in Virginia going to allow the tail to wag the dog."

He warned southside Virginia legislators and the Byrd machine: "You've got the votes, the power, but you've got tremendous responsibilities with that power. When tyranny comes in, I make the prediction you will lose that power.

Sen. Stuart B. Carter of Fincastle, long an opponent of "massive resistance," said: "We are in a state of panic, devising all sorts of schemes. This is burning down the house to get rid of the rats."

The measure is identical with one which has passed the House and, in effect, marks final passage of the bill in the Assembly.

Meanwhile, in the House, two measures aimed at taxing attorneys for the National Association for the Advancement of Colored People were killed when lawyer members of the House discovered the tax would apply to them, too. Another bill, designed to require the NAACP to reveal corporate information, passed 58-12.

Joining Boothe, Haddock and Carter in voting against the bill were Senators John A. K. Donovan of Fairfax-Falls Church, Charles R. Fenwick of Arlington, George S. Aldhizer, II, of Rockingham County, Edward E. Breeden Jr. of Norfolk, Eugene B. Sydnor Jr. of Richmond and Roy V. Wolfe Jr., Republican of Gate City. Present and not voting were Senators Floyd Landreth, Republican of Galax, and Blake T. Newton of Westmoreland County. Absent and not voting were Senators Ted Dalton, Republican of Radford, and Ben T. Pitts of Fredericksburg.

Virginia House Props Racial Act

14(d) Va.

By Robert E. Baker
Staff Reporter

Post P. B1
Thurs. 2-27-58
Washington, D.C.

RICHMOND, Feb. 26—The House of Delegates advanced two key proposals today to shore up Virginia's "massive resistance" program.

Approved for final passage on Thursday were:

- Amendments to the pupil placement act to align it with Federal Court decisions.
- Changes in another law to give the Governor final determination over whether a locality could operate integrated schools at its own expense.

These measures, assured of House passage and facing no apparent opposition in the Senate, are two of three major contributions of this General Assembly to keep "massive resistance" to school desegration intact as long as possible. A dozen other racial bills probably will be enacted into law before the session ends, but these are considered "window dressing," aimed primarily at showing the Old Dominion's determination not to integrate its public schools.

The third major anti-integration measure is the provision of the appropriations bill which automatically cuts off state funds to integrated schools. This passed the House without dissent, where, when first enacted in 1956, there was great debate. It now is before the Senate Finance Committee and no trouble is expected.

The proposed changes in the Pupil Placement Act simplifly the assignment standards used by the pupil placement board, cut down on the lengthy administration appeals system in the present law, remove the word "efficient" which in other legislation is defined as meaning "segregated"—all of which have been attacked by Federal courts in desegregation cases.

Only debate on today's bills came from Del. John C. Webb of Fairfax County who criticized the proposed changes giving the Governor the power to refuse to let a locality operate an integrated school without state funds.

The present law requires the closing of an integrated school while the Governor attempts to re-segregate it; but it also requires the Governor to withdraw and let the school reopen at the request either of the local governing body or school board.

Under the proposed changes, both the local governing body and school board would have to make the request and then the Governor could withdraw or not, as he saw fit.

Status of other racial legislation:

The "Little Rock" proposal, requested by Gov. Almond, already has been signed into law. It closes any school patroled by Federal forces.

The second "Little Rock" bill, which permits the Governor to close any or all schools in a school district where Federal troops patrol a school, has passed the House and now is in Senate committee.

A bill continuing a single racial investigation committee has passed the house and is before a senate committee. Attemps by Del. James M. Thomson of Alexandria to include a probe of textbooks, teachers and schools were dropped.

A half dozen bills aimed at hampering activities of the National Association for the advancement of Colored People have been introduced by Del. John B. Boatwright, who headed an anti-NAACP committee. Two have passed the house and await assured Senate approval; the rest are pending on the crowded House chamber.

A bill prohibiting the use of voter registration blanks has passed the Senate but has been amended by a House committee to take the sting out of it. The bill, privately aimed at thwarting future Negro registrations, initially required prospective voters to register on blank pieces of paper and without reference to the required information. The amended version, approved by the Governor, will permit applicants to use the construction and its requirements while registering.

The house has passed, and senate committees are considerign, bills requiring Federal orders to the National Guard to be referred to the Governor, permitting the Federal investigations, and allowing the Attorney eGneral to appoint special counsel at the request of District bar association to investigate attorneys accused of unauthorized practice of law, meaning NAACP attorneys.

Campbell County Gets New School Addition

Journal & Guide P. 10
Norfolk, Va.

RUSTBURG, Va. — Campbell county got another addition to its growing school system recently when the $219,000 Central Elementary school was dedicated here.

Sat 4 12 58

Dr. Walter N. Ridley, dean of St Paul's College Lawrenceville, Va. was principal speaker at the observance. Other guests appearing on the program were J. J. Fray, superintendent of Campbell county schools; R. E. Patrick, principal of Carver Price high school; and Mrs. L. H. Fennell supervisor of elementary schools.

14(d)

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DR. RIDLEY told the group of more than 250 persons that they were dedicating a building, not a school. A school, Dr. Ridley said, includes a building, parents, teachers, children and an administrator.

Va

Parents and teachers must have basic abilities, a knowledge of children and how they grow and develop and an interest in children which is based on love, Dr. Ridley said.

Music was rendered by the school chorus under the direction of Wheeler Hudson accompanied by Mrs. Georgia Lander. The invocation was given by the Rev. R. L. Heck, pastor of the Eighth Street Baptist Church, Lynchburg, Va.

Richmond Board To Give Pupil Placement Data

Birmingham World
Birmingham, Ala.

RICHMOND, Va.—The Richmond School Board agreed to submit to the Virginia Pupil Placement Board information about colored students whose parents refuse to fill out pupil placement forms.

14(d)

Sat. 7-5-58

If any colored parents refuse to sign the forms, H. I. Willett, superintendent of schools said, the school would then forward to the placement board the registration forms with necessary information.

Under an injunction issued last fall by Federal District Judge Sterling Hutcheson, no colored pupil can be denied admission to school if his parents refuse to sign the form.

P. 5

Only parents of new or transfer students are requested to submit forms.

14d(1) 1958

VIRGINIA

Norfolk School Case: A Question Of Time

Journal & Guide P.1

Almost nothing remains in the Norfolk school desegregation case except the element of time. Events in U. S. District Court here last Saturday made that clear.

In a brief hearing Federal Judge Walter E. Hoffman placed into effect his February 1957 order for desegregation. There was almost nothing else to add.

Norfolk, Va.

THE ONLY question now is what will happen when colored students apply for admission to all-white schools for the fall term. Will they be admitted or will the schools be closed down according to state laws?

The City of Newport News was also affected by Saturday''s court action, although there was some doubt as to future effect of the order because of a pending merger of Newport News with the city of Warwick. The two cities will be joined on July 1.

Sat. 6-14-58

AT SATURDAY'S hearing Norfolk School Board attorneys agreed with the contention of colored attorneys that Judge Hoffman's order was now in effect.

The judge then made it clear that the next move in the case is up to the colored students seeking admission to specific colored schools.

* * *

HE CAUTIONED the school boards, however, that if applications for admission are filed

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Norfolk School Case: A Question Of Time

(Continued from Page 1)

with reasonable promptness, they should be acted upon promptly.

During the hearing, NAACP Counsel Oliver W. Hill of Richmond mentioned the fact that in desegregation cases in other states, school boards had formulated integration plans.

• • •

BUT JUDGE HOFFMAN said "I doubt whether a plan could be submitted, perhaps under the existing state laws."

Journal and Guide

Another NAACP attorney, Spottswood W. Robinson III, told the court the plaintiffs were prepared to argue that the present City of Warwick should be included in Judge Hoffman's desegregation order after the date of the merger with Newport News.

Sat. 6-14-58

"I THINK ultimately you're going to have to bring it down to specific cases, in any event, he was told by the judge, who pointed out that intervening petitioners from what is now Warwick might enter the case after July 1.

"We don't have any plaintiffs who reside in what is now the City of Warwick in this proceeding," Hoffman observed.

• • •

THE JUDGE pointed out that applications for admission to Peninsula schools might be confined to the area of what is now Newport News, indicating this could have some effect on the legal aspects of the issue. He emphasized, however, that he was not ruling in advance of the merger on any questions pertaining to it.

Representing the Norfolk plaintiffs were Attorneys Victor J. Ashe and J. Hugo Madison, and W. Hale Thompson and Philip S. Walker represented the Newport News plaintiffs.

Va. Schools Can't Become Private

Journal & Guide P.2

RICHMOND, Va. — Virginia schools won't be able to be used by private organizations as segregated schools, Gov. Almond said last week.

Sat. 6-14-58

Gov. Almond said federal court precedents would prevent the leasing of Virginia public schools to private organizations for use as segregated schools.

Norfolk, Va.

Biracial Meeting In School Blocked

14d(1) Va.

Post & Times Herald P. B1 Wed. 4-30-58 Washington D.C.

Arlington Circuit Judge Emery N. Hosmer denied yesterday a request from an interracial study group to force the County School Board to allow it to hold an integrated meeting May 25 in a school.

Judge Hosmer, who upheld the constitutionality of Virginia's segregated seating law last year, said there were "no sufficient grounds to issue a temporary injunction" against the board. The injunction was requested by the Community Council for Social Progress.

The CCSP's attorney, David Carliner, asked for a restraining order pending a hearing on the merits of a case testing the validity of the seating law.

A date for the hearing which also will deal with Carliner's request for a permanent injunction against the board has not been set. Carliner said after the hearing he will ask the State Supreme Court of Appeals next week to grant the temporary injunction. He said he doubted if a hearing on the merits of the case would be set before May 25.

The School Board, at its April 10 meeting, denied the CCSP use of Washington-Lee High School's Little Theater and returned a $15 rental fee which the CCSP had paid after the group told the board it intended to have an integrated meeting.

White Parents OK Integration

Commercial Appeal

Memphis, Tenn.

Virginians Prefer Limited Mixing To No Schools

Fri. 6-13-58

CHARLOTTSVILLE POLL

P.5

14d(1) Va.

By United Press International

CHARLOTTESVILLE, Va. June 12.—White parents facing an integration showdown have voted 177-128 to let their children go to class with a few Negroes here rather than see the school shut down, it was disclosed Thursday.

However, 138 other parents questioned in the poll did not vote.

The Parent-Teachers Association of Venable Elementary School made public the result of a survey in which parents were asked to choose between a "measure of integration" or a "closed Venable School."

Thirteen Negro students have applied for September admission to the school under an order by United States District Judge John Paul for Charlottesville to desegregate its schools next fall.

No Choice Under Law

If the applications are accepted and the students enrolled, the white parents would face the prospect of losing the public schools, regardless of their majority feeling. A Virginia law would automatically close any school in which mixed classes are taught, under the state's "massive resistance" to integration program.

There was no official comment by city or state leaders on the poll but it brought immediate criticism from segregationists here.

"The poll solves nothing," said Robert Ready, who ran for City Council on a segregationist ticket last year.

"If the question had read, 'Do you favor integration or the closing of the school?' " he said, "the results of the poll would have been different.

"There is no such thing as partial integration," he added.

Ready said the 138 who did not respond "realized there was no choice and did not feel the question justified an answer."

Poll 'Gratifying'

Mrs. Morris Brown, head of the Council on Human Relations here, said the outcome of the poll, was "gratifying."

"When the entire community has become aware of the actual choice before it," she said, "I believe they will accept a similar preference."

Results of the poll were turned over to the school board at its regular meeting Thursday night but School Supt. Fendall R. Ellis made no comment.

He said, however, that the board would not consider the applications of the 13 Negroes seeking admission to Venable School, nor those of 17 other Negroes who seek admission to other Charlottesville schools, before July.

State Rejects Request for Negro Names

Washington Post & Times Herald

P. B3

14d(1)

RICHMOND, June 13 (Special)—The Virginia Pupil Placement Board turned down today a request from the Arlington Defenders of State Sovereignty and Individual Liberties for the names of Negro children seeking admission to white schools in Arlington.

Sat 6-14-58

The action was taken at a closed meeting. Afterward board secretary G. F. Poteet released a copy of a letter he sent to Jack Rathbone, secretary of the Arlington chapter of the Defenders.

Washington D.C.

"Without wishing to seem unco-operative," the letter said, "this board cannot accede to your request. Nothing is mentioned in the Pupil Placement Act about race or color, and nothing on the application forms issued by this board relates to race or color. The board regrets therefore that it

is unable to provide the information to you."

The Arlington school administration has followed a policy of not making public the names of Negro students who apply for admission to white schools. The number of such applications and the schools are made public, but the school administration says it withholds the names to prevent the Negroes from being harassed.

In other action today, the board sent a reminder notice to the Richmond school superintendent and the school board. They were told that, because of existing restraining orders from Federal courts, they could not compel parents of Negro children to sign placement application forms as a condition of enrolling children.

The placement board declared, however, that the law still requires white parents to execute the application forms before their children can be registered.

Group Organizes To Save Schools

Washington Post
Washington D.C.

More than 600 Arlingtonians formally organized in a committee last night to work toward keeping the county public schools open despite state laws which require the closing of desegregated schools. Fri. 6-13-58

P.1 Sec. B.

The residents jammed the auditorium of Trinity Presbyterian Church and organized the Committee to Preserve Public Schools.

Each person had to subscribe in writing to the following objectives and principles before being admitted to the meeeting:

- To pursue "every legal means to keep public schools open."
- To be "concerned neither with perpetuating segregation in schools nor hastening integration."
- To oppose "entrusting public education to private hands having no responsibility or accountability to the general public."
- To "have faith in Arlington's ability to meet its public education problems."
- To assure Arlington teachers of support and urge them to "stand with the community in the days ahead."

The Committee members applauded their legal subcommittee report which stated the opinion that Virginia's school-closing law violates state and Federal Constitutions, and the school closings can be prevented by action in state or Federal courts.

The Committee to Preserve Public Schools grew out of a committee of 24 persons which formed last April after ardent segregationists organized the Tenth District Education Corporation to operate private schools if public schools closed.

O. Glenn Stahl, a former Arlington School Board member and chairman of the organizing committee, was elected president of the Committee to Preserve Public Schools without opposition.

"It is not th epurpose of this group to settle the segregation issue," he said. "It is the purpose of this group to make sure that public schools are not closed as this issue is being solved."

The Committee adopted by-laws, but only after changing one provision to make it clear that legal action may be taken before schools are closed.

Elected first vice president was Wesley Cooper, former chairman of the county board. Other officers included Mrs. Vernon Weihe, second vice president, and Hugh J. McGrath Sr., treasurer.

Elected to the board of directors were Nan Maning, B. Alden Lillywhite, Edmund Campbell, Warren Cox, Richard Parli, William Lightsey and Earl Herman.

At one point in the meeting a member of the audience asked:

"Are you going to be selfish enough to go down a course of your own against the State?"

He was answered by several cries of "Yes!"

When the meeting was over, committee members found leaflets on their cars distributed by the Defenders of State Sovereignty and Individual Liberties, a pro-segregationist group.

Norfolk Third Virginia City To Lose In School Integration Fight

Jackson Advocate
Jackson, Mississippi

Norfolk, Va. (UPI) — The city of Norfolk Saturday became the third Virginia locality to face an apparent showdown between a federal court order to desegregate in September and state laws that would close any school in which mixed classes were taught.

U. S. District Judge Walter E. Hoffman, in a 35-minute hearing to determine the status of his 16-month-old desegregation orders against Norfolk and neighboring Newport News, held that his order against Norfolk was in full effect and that Norfolk must desegregate in September. The hearing was scheduled after the Supreme Court last October refused to review Hoffman's original rulings of Februray 1957 against the two cities.

Sat. 6-14-58

But the desegregation order against Newport News, across Hampton Roads, appeared to be headed for more litigation because of a technicality. The city will consolidate with its adjoining city of Warwick July 1, and attorneys defending Newport News indicated strongly they would argue further on how the ruling would apply to the consolidated city.

Hoffman admitted his order, as it applies to the new city, would be a different matter from the one against the present city of Newport News.

Two other Virginia localities, Arlington County and Charlottesville, have been ordered to desegregate in September. Appeals in both cases apparently have been exhausted.

Thirity students are seeking admission to white schools in Charlottesville in September, and approximately 20 have filed for admission in Arlington. None have been accepted.

Board Asks Schools Be Kept Open

Post and
Times Herald
p. 1

Arlington Group Urges Almond to Heed Citizens' Plea

Sun. 7-6-58

By John Lawson
Staff Reporter

The Arlington County Board called on Gov. J. Lindsay Almond yesterday to "do nothing which will destroy or impair our public school system."

Washington. D.C.
Va

The action was taken in a resolution, passed unanimously by the board which took the stand that our "public schools must not be put out of business."

The resolution, introduced by Board Member Herbert L. Brown Jr., urged the Governor to give his "most earnest consideration" to the views of the Committee to Preserve Public Schools.

Meeting Wednesday

Ten members of the committee are going to confer with Almond Wednesday and urge him to return Arlington's public schools to the county if they are closed under state laws.

Arlington faces a Federal Court order to admit seven Negro children to four of its white schools in the fall. Another 25 Negroes have applied for entrance to Arlington's white schools.

Parents of children at Arlington's Stratford Junior High School favor "some measure of integration," poll shows Page A 19

Under state law, however, the schools automatically will be closed if they are racially mixed. In that event, Almond has the power to return the schools to local control upon official reqeust by the School Board and the County Board.

The delegation from the Committee to Preserve Public Schools in Arlington has said it would seek to acquaint the Governor of the Committee's goal: to keep public schools open on any legal basis.

Has 1000 Members

The Committee, which claims more than 1000 members, said it also would seek to acquaint Almond with sentiment in Arlington on the racial segregation issue.

The County Board, in its resolution yesterday, noted that the Committee is a privately-organized group. But, the resolution said, "this Board will want to strengthen the hand of the delegation and endorse its basic objectives—to keep the public schools open."

"We fervently hope," the resolution said, 'that the Governor, as he ponders his momentous responsibilities, will understand our deep concern and do nothing which will destroy or impair our public school system."

14d(1) 1958

VIRGINIA

Maryland plan stands—

Court refuses school ruling

News Mon. 6-9-58

Birmingham, Ala

WASHINGTON, June 9 —(AP)— The Supreme Court today refused to rule on validity of a gradual "stair-step" racial desegregation plan adopted for public schools in Harford County, Md. P. 1

The action leaves the plan in effect since lower courts approved it.

The plan provides that qualified Negro students who pass special examinations are to be admitted to high school grades pending the end of segregation in those grades.

ATTORNEYS for Negro students contended the plan did not comply with the Supreme Court's 1955 decision calling for the ending of racial segregation in schools with all deliberate speed.

Thurgood Marshall, New York attorney with the National Association for the Advancement of Colored People, joined other counsel in appealing the Supreme Court from a decision by the U.S. Circuit Court in Richmond. The Circuit Court upheld U.S. District Judge C. J. Thomsen of Baltimore in approving the "stair-step" plan.

The Harford County school board in adopting the plan called for gradual desegregation of elementary schools over a two-year period and high schools over a period of five years.

APPEAL IS DENIED IN DESEGREGATION

Times

Court Bars N.A.A.C.P. Motion to Review Integration Plan in Harford County, Md.

P. ~~25 C~~

New York

Special to The New York Times.

WASHINGTON, June 9 — A plan for gradual desegregation of public schools in Harford County, Md., was left standing today by the Supreme Court.

The court refused to review lower court decisions upholding the plan as within the spirit of the Supreme Court's mandate for integration "with all deliberate speed." Attorneys of the National Association for the Advancement of Colored People had sought review.

The Harford County plan calls for elimination of all racial segregation in elementary schools in two years, and in high schools over a five-year period. School officials have said that the elementary program would be 78 per cent completed by next September.

Federal District Judge Roszel C. Thomsen suggested to the Harford School Board during proceedings in the case that it allow specially qualified Negro high school students to transfer before the 1963 deadline for complete integration. This provision was included.

A petition for review filed by Thurgood Marshall of the N. A. A. C. P. said that the Harford plan actually continued segregation on a sophisiticated basis. All-Negro schools were to be continued on that basis, the petition said.

Mr. Marshall also argued that making Negro high school students take special aptitude tests for transfer before 1963 when white students need not take thet ests was patently discriminatory. He said Judge Thomsen had simply taken the school board's word for its good faith.

The Hartford County case and others around the country 'call for clarification" by the Supreme Court, Mr. Marshal said, "of what it meant by 'all deliberate speed.'" A brief opposing review was filed by Edward C. Wilson Jr. of Bel Air, Md.

The high court's refusal to take the case is consistent with its general policy since school segregation was declared unconstitutional in the decisions of 1954 and 1955. The court has refused to hear oral argument in other cases since then apparently preferring to let the lower courts handle the problems of implementation in the light of local conditions.

VIRGINIA LOSES FIGHT TO KEEP SEGREGATION

Tribune

Supreme Court Turns Down Appeal

P. 3

Chicago

Tues 5-20-58

Washington, May 19 (AP)— Virginia today lost a last-ditch effort to prevent seven Negro students from entering white schools in Arlington county. The Supreme court refused to consider an appeal.

The refusal opens the way for enforcement of an order by United States District Judge Albert V. Bryan of Alexandria that the Negroes be admitted to four schools, and brings closer the threat that the schools may be closed under Virginia's anti-integration laws.

Those laws say a community's public schools must close if raised integration occurs. If the schools reopen on an integrated basis, state funds are to be shut off.

Noted in Routine Listing

The Supreme court's refusal to consider an appeal from Bryan's order was noted in a routine way in a lengthy listting of other petitions which the court also refused to consider.

The Arlington case developed into a crucial test in Virginia's resistance to school integration. Of five desegregation cases in the state, the Arlington controversy was the only one in which specific Negroes had been ordered into specific white schools. Judge Bryan told the Arlington schools to admit the seven Negroes by last Sept. 23, but his order was held in abeyance pending appeals.

Can Ask Reconsideration

The United States Circuit Court of appeals in Richmond upheld Judge Bryan last Feb. 12. Virginia and the county school board then appealed to the Supreme court.

Under Supreme court rules, Virginia and the board have 25 days to ask for reconsideration of today's denial. Thus Judge Bryan's order likely will not be carried out—to the point of the Negroes seekng admissionat the doors of the schools—until thhe new school term opens next September.

The Supreme court struck down the 1956 contempt of Congress conviction of Harry Sacher, New York defense attorney in communist causes.

Sacher appealed to the high tribunal for a review after the United States Court of Appeals here upheld for the second time his contempt conviction for refusing to answer questions put to him by the Senate internal security subcommittee.

Opinion Isn't Signed

The subcommittee at the time was trying to learn if communist lawyers masterminded the turn-about of Harvey Matusow, a former government informant inside the Communist party. Matusow later denounced his anti-communist testimony as untruthful. Sacher received a contempt senence of six months and $1,000 fine, but it is free on bond pending outcome of appeals.

The court's action was announced in an unsigned opinion which said Sacher's refusal to say whether he was a member of the Communist party and related questions was "not clearly pertinent" to the subject matter on which two members of the subcommittee had been authorized to take testimony.

Accordingly, the court said "the conditions necessary to sustain a conviction for deliberately refusing to answer questions pertinent to the authorized subject matter of a congressional hearing are wanting."

Orders Indictment Killed

In reversing Sacher's conviction, the Supreme court directed that the indictment be dismissed.

Justices Tom C. Clark and Charles Evans Whittaker dissented, saying they regarded the questions as clearly pertinent. They said that in any event the government should be given a chance to present oral argument before the Supreme court. Justice John M. Harlan said in a brief opinion concurring in the court's action that he saw no need for oral arguments.

In other major actions today, the high court:

1. Outlawed in a 6 to 3 decision a dual rate system of transportation charges used by scores of steamship operators groups. The system provides cheaper rates to shippers who sign an exclusive patronage contract. The maritime board approved the system but it mas opposed by the justice and agriculture departments.

Other Court Actions

2. In a case turning on the issue of double jeopardy, upheld 5 to 3 the conviction of William Hoag on an armed robbery charge in connection with a 1950 holdup of a Fairview, N. J., tavern. Hoag was accused of robbing three people at the tavern, tried and acquitted. He was put on trial again, accused of robbing the fourth person, and was convicted and sentenced to 5 to 7 years.

3. Set aside the conviction of Frank Andrew Payne, 19, an Arkansas Negro convicted of robbery-murder of his white employer. The majority in a 7 to 2 decision said a confession by Payne may have been coerced by a threat of mob violence. Justices Clark and Harold Burton dissented.

4. Denied a habeas corpus hearing for Arthur Thomas, Negro farm worker sentenced to death in Arizona for the robbery-slaying of a white woman. claimed a confession was obtained by coercion. Justice Clark delivered the 5 to 4 decision. Chief Justice Earl Warren and Justices Hugo Black, William O. Douglas ,and William J. Brennan dissenter but without setting forth their reasons.

Rejects Farmer's Appeal

5. Refused to hear an appeal by a Pennsylvania farmer who said his religious beliefs prevented him from complying with the federal marketing quoto imposed for the 1954 wheat crop. Henry Kissinger, of near Millersburg Pa., had attacked constitutionally of the agricultural adjustment act of 1938, asserting it was his "religious conviction . . . that he should use his land and labor to realize the maximum fertility of his land."

Tribune

6. Refused for the second time to act on appeals by T. Lamar Caudle and Matthew J. Connelly, high officials in the Truman administration convicted of conspiring to fix an income tax evasion case. They were sentenced to two years in prison and fined $2,500 each after their convictions in federal court in St. Louis. The Supreme court last March 3 refused to review their cases.

Tues 5-20-58

7. Refused to review Federal Power commission approval of a plan to pipe natural gas from south Texas to Miami, Fla. The review was asked by the Florida Economic Advisory council, an association of fuel oil dealers, truck lines, marine transportation companies and allied businesses.

Virginia Plea to Halt Integration Is Rejected by the Supreme Court

1940

Herald Tribune

p 11

New York N.Y.

5-20-58

WASHINGTON, May 19 (AP).—The Supreme Court today nudged Virginia a big step nearer a showdown on its policy calling for closing of public schools rather than desegregating them.

Without comment, the court rejected a last-ditch effort by Virginia to stave off an order for admission of seven Negroes to white schools in Arlington County, just across the Potomac River from Washington.

By refusing to hear the case, the high court left the way open for enforcement of the order issued by Federal Judge Albert V. Bryan of Alexandria.

Delayed for Appeals

Judge Bryan's order called for admission of the seven Negroes at the beginning of the school term last fall. But he held up its effectiveness pending appeals. The United States Court of Appeals in Richmond on Feb. 12 upheld Judge Bryan.

The Supreme Court's action today apparently left Virginia with only one more legal move available—to ask the high court to reconsider its action. The time limit for such a pleas is twenty-five days.

Of five desegregation cases involving Virginia, the Arlington case may provide the first showdown on Virginia's various segregation laws. Judge Bryan's order is the only one so far which has named the Negroes to be admitted to white schools and specified the schools.

Virginia laws call for closing of public schools wherever integration takes place. And if schools are reopened on a desegregated basis, state aid is to be cut off.

In other actions today the court:

Rejects Appeals By Caudle, Connelly

Refused for the second time to act on appeals by T. Lamar Caudle and Matthew J. Connelly, high officials in the Truman Administration convicted of conspiring to fix an income tax evasion case. They were sentenced to two years in prison and fined $2,500 each.

'Double Jeopardy' Case Upheld

In a case turning on the issue of double jeopardy, upheld the conviction of William Hoag on an armed-robbery charge in a 1950 holdup of a Fairview, tavern. Hoag was accused of robbing three persons at the tavern, tried and acquitted. He was put on trial again, accused of robbing a fourth person, was convicted and sentenced to five to seven years.

Murder Conviction Is Upheld

Upheld the murder conviction of Vincent Ciucci, of Chicago, who was tried four times in the slaying of members of his family before the state won a verdict againt him. But the court left him an opening for further appeal.

Farmer Loses Plea for Review

Refused to hear an appeal by Henry Kossinger, a Millersburg, Pa., farmer, who said his religious beliefs prevented him from complying with the Federal marketing quota. He had been fined $94 for exceeding his 1954 wheat quota.

New York Narcotics Conviction Reversed

Reversed the conviction of Joseph George Sherman in New York on a narcotics charge. The court held that Sherman was lured into committing the crime by a government informer.

Spanish Seaman Wins Plea for Reargument

Called for reargument of an appeal by Francisco Romero, a Spanish seaman, on whether a foreign seaman on a foreign ship may sue for damages under United States law while working in an American port. Mr. Romero was injured on his ship while it was at Hoboken.

Murder Conviction Is Set Aside

Set aside the conviction of Frank Andrew Payne, of Young Pine Bluff, Ark., convicted of robbery-murder of his employer The majority in a 7-2 decision said a confession by Payne may have been coerced by a threat of mob violence.

Hearing Denied In Arizona Killing

Denied a hearing to Arthur Thomas, under death sentence for the murder of Mrs. Janie Miskovich in Willcox. Ariz.

Poll Favors Integration Over School Closing Plan

Atlanta World

Atlanta, Ga.

Aug. 7-58

p 1

ARLINGTON, Va. — (UPI) — Members of the Parent-Teachers Association of an integration-threatened school here have voted nearly four to one in a newspaper poll for "some measure of integration" rather than having state anti-integration laws close the public schools.

The Northern Virginia Sun asked 391 members of the Stratford Junior High School PTA if they favored "keeping the schools open, even if this means some measure of integration."

The results, announced Saturday showed 154 in favor of keeping schools open, 40 preferred closed schools, and 197 did not vote.

A federal judge has ordered this northern Virginia county to admit seven Negro students to white schools this September, and 25 more Negroes have applied. Eleven of the Negroes listed Stratford, which has an enrollment of about 1,000, as their choice.

The poll, conducted by letter with a reply postcard enclosed, was similar to one conducted by a PTA in Charlottesville last month. In that poll, patrons of the white Venable Elementary School voted 177 - 128 for "some measure of integration" rather than a "closed Venable School."

Charlottesville also is under federal court desegregation order effective next September. Virginia law automatically would close any iintegrated school.

The Sun said answers to the poll, which was confidential with no names requested, ranged from "by all means close them (the schools)" to "there is no such thing as 'some measure of integration'."

Segregation Spotlight Is Shifting to Virginia

1940 VA

Times Union

p 15

Jacksonville Fla.

June 29-58

By GEORGE J. MARDER

WASHINGTON, June 7 (UPI)—The segregation spotlight is liable to be more on Virginia than on Little Rock, Ark., when schools reopen next September.

There is a possibility some Virginia schools may be shut down rather than permit the mixing of white and Negro students.

Whether that possibility becomes a reality depends on whether Virginia is at the end of legal maneuvering intended to delay segregation action by the federal courts.

On May 19 the Supreme Court rejected an appeal by Arlington County, Va., against a federal court order directing the county to admit seven Negro children to four of its white schools.

It was the second time the case had been through the federal courts, so the Supreme Court refused to listen to any more arguments on it.

It means that Arlington and three other Virginia communities under similar orders must start the fall term next September under direct mandate to desegregate.

This could bring into action the first of the state's new series of laws to prevent mixing of Negro and white students — laws which would shut any school desegregated, even under federal court order.

The law was designed to close any white school to which a Negro was ordered admitted. But a group of Arlington County segregationists late last month said they will act, if this happens, to close down Negro schools on a "tit for tat" basis. They would do this by enrolling white students in Negro schools.

"We do not intend to sit idly by while white schools are closed and Negro schools are left open," Jack Rathbone, executive secretary for the segregationist group said.

The only possiblity of delaying a desegregation crisis in Virginia would be a new test of the state's Pupil Placement Act. This act gives the governor and a three-man board appointed by him power to put students in any school they think best.

The basic placement law already has been declared unconstitutional as a device to avoid the Supreme Court ban on segregation. But since then the Virginia Legislature has amended it to conform with some federal court criticism.

The changes shorten the appeals procedure and say the special board should assign pupils on the basis of efficiency. Efficiency is defined as a segregated school system.

Whether the final showdown on closing at least some Virginia schools will come next September depends on whether the courts will permit a stay of the orders pending the new fight on the Pupil Placement Act.

Some lawyers feel the federal courts won't tolerate further delay and will refuse to issue the stay even if a new fight is started over the Pupil Placement Act.

Removal from System

That would mean Step Two of the state's so - called massive resistance laws opposing desegregation would come into effect.

Step Two automatically shuts down a school and removes it from the state school system the moment one Negro child is admitted to a white school or a white to a Negro school.

The governor then would take control of the situation. He could investigate, try to reorganize the school on a segregated basis, reassign students, and award private tuition grants to students who couldn't be reassigned.

14d(1) 1958

VIRGINIA

Desegregation Case To Be Heard in June

Star P. A37

14d(1) Va.

RICHMOND, April 30 (Special).—A hearing will be held in Federal District Court here June 6 in the Prince Edward County school desegregation case.

The date was set yesterday by Judge Sterling Hutcheson to head a motion by attorneys for the National Association for the Advancement of Colored People.

NAACP counsel declined to state what their motion would be, but their next likely move is to ask for a definite desegregation date in the southside Virginia county.

Washington D.C.

Prince Edward was one of the counties involved in the original Supreme Court desegregation decision.

Wed. 4-30-58

Asked to Set Date

After the Supreme Court ruling was handed down Judge Hutcheson was asked to set a definite date for a beginning of desegregation there.

Judge Hutcheson refused, holding that language of the Supreme Court decision did not require a definite date. His ruling was reversed by the Fourth Circuit Court of Appeals, which directed him to set a date, and the Supreme Court declined to review the case.

14d(1) Va.

The June 6 hearing will be the first in the Prince Edward case since the Supreme Court, in effect, upheld the appellate court by refusing to review the case.

When a desegregation deadline is set, it will mean that no student may be denied admission to a school because of race after that date.

No Specific Applications

There have been no specific applications by Negro students to attend particular white schools in Prince Edward so far.

If the Prince Edward case follows the pattern of the Arlington case, the specific applications will come after the desegregation deadline is set.

White residents of Prince Edward County have organized and pledged funds to operate a private school system for their own children, rather than yield to any integration.

Integration Foes Gird In Virginia

Citizens Of 5 Localities Discuss Possible Switch To Private Schools

By The United Press

14d(1) Va.

RICHMOND, Va., May 3. — Citizens of the five Virginia localities under Federal Court order to integrate schools met here Saturday to discuss means of setting up private white school systems.

Commercial Appeal

The private school systems, similar to one already established in Virginia's Prince Edward County, would be ready to go into effect if public schools closed because of racial integration. A Virginia law would close any school in which racially mixed classes were taught.

Sun. 5-4-58

Cases Still In Court

Robert B. Crawford, president of the sponsoring Defenders of State Sovereignty and Individual Liberties, said representatives came from Norfolk, Newport News, Charlottesville and the counties of Arlington and Prince Edward. All have been ordered to desegregate classes, but all cases are pending in courts.

Memphis, Tenn.

Citizens of Prince Edward County explained to the others how they have established a private school system in the event their public schools close. The private school system, with teachers already assigned, was backed by pledges of more than $250,000 and would be conducted in churches, private homes and other private buildings.

Crawford, from Farmville in Prince Edward County and a leader in setting up its school system, said "We want to save the public schools as long as possible but will close them rather than have integration forced on us."

Figured In Original Order

Prince Edward County was ordered to mix its classes in the Supreme Court's original desegregation order of May 17, 1954. In the latest of many court actions in the case, the Supreme Court March 3 let stand a Federal Circuit Court ruling that Dist. Judge Sterling Hutcheson of Richmond must set a deadline for desegregation in the county.

Judge Hutcheson, who was reversed in a ruling that Prince Edward needed "more time" to desegregate, has not yet set a deadline.

Arlington Group To 'Study' School Segregation Laws

Star P. A11

14d(1) Va.

A new Arlington organization with the announced goal of trying to keep public schools open in the integration crisis voted Sunday night to set up a study committee on the State's classroom segregation laws.

The group, the Committee to Preserve Public Schools, named Warren Cox, a former county school board member, as chairman of the subcommittee.

Mr. Cox will attempt to recruit lawyers for a report on the various situations which could occur in a racial showdown.

Tues. 5-6-58

The county is under a Federal court order, stayed pending an appeal, to admit seven Negro students to four white schools. However, Virginia's "massive resistance" statutes include a law providing for the automatic closing of classrooms if integration occurs.

Washington D.C.

A spokesman for the Committee to Preserve Public Schools, which is being formed by 24 residents, said a public meeting would be called after the legal committee completes its report.

Only 19 People Attend "Private School" Meet

By Staff Correspondent

Journal Guide

RICHMOND — The much-advertised meeting of the committee to prevent integration in Virginia schools held here Saturday attracted a total of only 19 people. Most of those in attendance are members of the Defenders of State Sovereignty and Individual Liberties.

Norfolk Va.

Defender card-holder William Tuck, former governor who has proclaimed that he was "glad to be a card-holding member" of the Defenders, was in the city and approved and applauded the group's program.

14d(1) Va.

Sat. 5-10-58

THERE WAS a meeting simultaneously at Old Point Comfort, where a speech was made by Senator Harry F. Byrd and a meeting at Columbia, S. C. where Governor J. Lindsay Almond Jr. was the main speaker. Both speakers loudly condemned the Supreme Court for its desegregation decision and urged continued "massive resistance to desegregation. P. 2

These speeches were followed Sunday by a Statement of Chief Justice Edward W. Hudgins of the Virginia Supreme Court of Appeals in which he joined Senator Byrd and Governor Almond in condemning the U. S. Supreme Court.

• • •

THE GROUP meeting in Richmond discussed measures to "help localities" threatened with integration to set up and operate private schools. The group named itself the Co-ordination Committee to Maintain Efficient Educatin in Virginia. Lewis S. Pendleton Jr., a Richmond lawyer, was named chairman.

The organization pledged its aid to parent-teacher associations or any other group which may want to establish "private schools" in case public facilities are closed to prevent integration.

NAACP Maps School Drive In Virginia

Advertiser P. 1A

RICHMOND, Va. (UP) — Attorneys for the National Association for the Advancement of Colored People will open a new offensive toward integration of Virginia public schools in hearings Monday on the desegregation cases against Charlottesville, Norfolk and Newport News.

Montgomery Ala.

The attorneys said again Saturday they would seek desegregation in all three school systems at the earliest possible date. This most likely would be the opening of the school term in September but could mean an attempt to lower the racial bars for summer school.

14d(1) Va.

Oliver W. Hill and Spottswood Robinson III, both of Richmond, will represent Negro children seeking admittance to white schools in Charlottesville in a hearing before U. S. District Judge John Paul at Harrisonburg, Va., and will ask that a new deadline be set for integration in Charlottesville. Attorney General Albertis S. Harrison Jr. is expected to represent the state in that hearing.

Sun. 5-11-58

Judge Paul originally ordered Charlottesville to end segregation by September, 1956, but the order was stayed pending the state's unsuccessful appeals through the U. S. Supreme Court.

At the same time, U. S. District folk will hear requests from Judge Walter E. Hoffman of Nor- NAACP attorneys representing Negroes in the Norfolk and Newport News cases to fi.. a date for a hearing in those cases. The attorneys will not ask for a desegregation deadline on Monday for the two cities but will seek only to have a hearing scheduled when they can ask for a new deadline.

[illegible]

Judge Hoffman is expected to handle the Norfolk and Newport News cases together, as he has in the past. P. 2A

Hoffman ordered Norfolk and Newport News to end segregation by the fall of 1957, but those orders, like the one against Charlottesville, were delayed pending unsuccessful appeals by the state through the U. S. Supreme Court.

Date asked for integration in Virginia city

News P. 19

NEWPORT NEWS, Va., May 8 —Federal District Judge Walter E. Hoffman will be asked Monday to set a date for Newport News to begin desegregating its public schools.

14d(1) Va.

W. Hale Thompson, attorney for Negro plaintiffs, announced yesterday he would make the plea for a firm date for the start of desegregation. But he also held out the possibility that he and his clients would be satisfied with a gradual or stair-step approach to public school desegregation.

B'ham Ala.

"We know that moving from a totally segregated school situation to a desegregated one involves tremendous psychological and sociological problems," Thompson said in a statement. "From our point of view, the only intelligent thing to do is to try to reason this out together. It should be evident to all concerned with our public schools that no unilateral solution is possible from either side."

Thurs. 5-8-58

The hearing on the Newport News request will be the third such hearing scheduled for Monday. Also scheduled before Hoffman in Norfolk is a request for a date for Norfolk to begin desegregation of its public schools.

At Harrisonburg, Judge John

Paul will hold an informal hearing on a request by Negro attorneys that he set a date for the beginning of desegregation in Charlottesville's public schools.

ARLINGTON COUNTY IS SITE

School Segregation War Could Begin In Virginia

1480

By BEM PRICE

ARLINGTON, Va. (AP) — A new sort of civil war, with Southerner arrayed against Southerner, may begin here.

Virginia has declared a policy of massive resistance to any form of school integration. It is one of seven states still holding that solid line.

Daily News

But before the year is out, the nation may well see Arlington County arguing the rights of a community against the state.

P. 6 A

It could begin an erosive process that would leave the South split into islands of segregation.

In some measure, the process has begun. Once there were 17 states in the pro-segregation ranks. Now only in Virginia, South Carolina, Georgia, Alabama, Mississippi, Louisiana and Florida is there no integration whatsoever in public schools.

Sun. 5-18-58

COURT RULING

Four years ago Sunday, the Supreme Court handed down a unanimous opinion declaring it unconstitutional to bar Negroes from public schools salely because of race.

Jackson, Miss.

In the years since, resisting states have erected a series of legal barricades to integration. As a last-ditch measure, each of those remaining in the solid line has, in one form or another, set up machinery to close public schools altogether, either singly or collectively.

Florida and Louisiana, for example, have laws permitting the closing of schools under the state's police powers — that is, the authority to preserve law and order. The other five states have laws whereby any school or school system is automatically closed —and all state aid eliminated, if a member of the opposite race is admitted.

ARLINGTON OFFERS

Virginia is one of these. But Arlington, a county within a city may give the nation the strange spectacle of a community defying the state on the matter of school integration.

It will find an urban area pitted against rural sections where emotionalism over integration runs high.

Fundamentally, the basic question is whether federal courts can enforce their orders in the face of state defiance.

For Virginia — and the other six states— the more relevant issue is whether public schools are to be integrated in compliance with federal court orders or closed altogether.

If Arlington, which has only 1,400 Negro students among its 23,000 total, fights to maintain its excellent public school system and wins, it will be the first penetration of the don't-give-an-inch states by integrationists.

11 SUITS ON FILE

In the seven states that have no public school integration, there are 11 suits in federal courts to break the pattern, five of them in Virginia alone. There is no suit pending from Mississippi. One case from South Carolina has been decided-against segregation —but no action toward implementation has been taken.

In the Arlington case, seven Negroes are seeking entry into four white schools. There is apparently no room left for legal maneuvers to delay a showdown. All that remains to be done in Arlington's case is for a federal judge to set a date for the beginning of integration. It probably will be in September.

Virginia law requires the closing of any school that admits a member of another race. If this doesn't discourage the applicant, the state is required to close the schools in the offending county on the particular educational level under attack; that is, all elementary or all high schools.

CUT OFF STATE AID

Further, the Virginia law automatically cuts off all state financial aid to the county involved, even if the county is acting in compliance with a federal court order.

If the schools are closed, the state is authorized to make tuition grants to individual students desiring to attend private schools.

Under Virginia law the governor has the discretion to reopen a closed school system. Gov. J. Lindsay Almond is pro-segregation.

While members of the Arlington School Board are resigned to a temporary closing of the schools, there is considerable evidence Arlington is going to fight to maintain its public school system, which ranks as one of the best in the nation.

Arlington County's Council of Parent-Teachers Assns. has voted unanimously to oppose the closing of public schools if integration occurs.

COMMITTEE SET

William M. Lightsey, P-T-A Council president, and 22 other Arlington County civic leaders set up an organizing committee to preserve public schools. O. Glenn Stahl, the temporary chairman, emphasized "We are here concerned with neither perpetuating segregation in the schools nor hastening integration."

Its aim, the committee said in its first formal statement, was "to pursue every legal means to keep the public schools open."

Lightsey says: "The only thing we ask is local determination. We are perfectly willing for Prince Edward to close their schools if they want to."

Prince Edward County in southern Virginia was a defendant in the 1954 suit which led to the Supreme Court decision. Determined to close its public schools over the integration issue, it is planning to set up a private school system for white students only.

There are vast differences between Prince Edward and Arlington. Prince Edward has more Negro than white students—1,716 to 1,463. Arlington's ratio is 15 whites to one Negro. The average Arlington resident is much better paid and better educated than his Prince Edward counterpart.

FEDERAL WORKERS

Arlington, a suburb of Washington, D.C., is made up mostly of government workers with a median income of $5,489 and median educational level of more than 12½ years — among the highest levels in the nation on both counts.

School Delay Is Rejected

1480 Va

WASHINGTON — (INS) — The Supreme Court rejected Monday the final appeal by Arlington County, Va., for a delay in carrying out school integration and set the stage for a showdown next fall.

Under federal court orders, the county must admit seven Negro students at the fall term. But under the state's "massive resistance" laws, any schools practicing integration may be closed.

Miami Herald

A one-line announcement by the Supreme Court upheld the federal court orders. The case was more specific than any previous court order on integration because it specifically names the seven students and the schools to which they are to be admitted.

P. 3-A

Tues. 5-20-58

With the threatening crisis in its public school system, there already have been several developments in Arlington, a suburb of the nation's capital.

The Northern District of Virginia Parent-Teachers Association is on record opposing closing of schools through automatic application of state laws opposing mixing of Negro and white students.

Miami, Fla.

Segregationist groups have been working to set up "an effective standby private school organization" in the county.

Several taxpayers have indicated they will immediately file suit if any tax money is used for private schools, or if Virginia denies funds to Arlington County because it obeys the federal court order.

In other major decisions Monday, the Supreme Court:

Dismissed, by a six to two verdict, the contempt conviction of Harry Sacher, New York attorney who defended several top Communists at their Smith Act trial. The court ruled that the Senate internal security subcommittee's quizzing of Sacher failed to establish pertinence of the questions to the inquiry.

Denied the final appeal of Truman Administration officials, T. Lamar Caudle and Matthew J. Connelly, from their two-year sentences for conspiracy in an income tax evasion case. The denial means the men must serve their prison terms.

Lag in Integration Laid To Parents and Church

Post and Times Herald

RICHMOND, April 22 (AP)— A six-student panel at a meeting of the Virginia Council on Human Relations said here last night school integration is being delayed by parents, laws and churches. The students, they said, are ready.

1480

Frank McCullough said students at St. Christopher's School, an Episcopal institution, are not eager for integration but are ready to accept it.

P. A9 Va

Kenneth Burnette, a student of the University of Richmond, said more students on the campus are working for integration.

Washington, D.C.

Burnette added that last week the Baptist Student Union, the school's largest church group, pledged to do all it could to end segregation. The university YMCA has adopted a similar resolution.

Wed. 4-23-58

Mary J. Bevan of the Presbyterian General Assembly's training school reported integration in that graduate school has worked smoothly.

Patricia Fitchett of St. Gertrude's Roman Catholic High School said the girls of that integrated school are still prejudiced against individual Negro girls at the school. She blamed the prejudices on the students' training at home.

Donald Walker, a Virginia Union University student, called the churches in Prince Edward County "conspirators to destroy the school system." Churches there have made their facilities available to a private organization proposing to operate private schools if public schools are closed because of integration.

14d(1) 1958

VIRGINIA

NAACP Lawyers Due To Act in Prince Edward

14d(1)

RICHMOND, Va., Mar. 14 (AP).—The next move in the Prince Edward County school segregation case will be up to the NAACP—a move perhaps in the making today.

Counsel for both Virginia and Prince Edward have decided against asking the United States Supreme Court for a rehearing.

The case is back in Federal District Court here. Judge Sterling Hutcheson has been ordered by the Fourth Circuit Court of Appeals to direct the county's school officials to start desegregation of the public schools.

Evening Star

But the District Court customarily makes no start to comply with higher court orders until one of the aggrieved parties moves that such action be taken. The State itself will make no move to hasten the order.

P. B-2

Fri. 3-14-58

Court to Fix Date

This means no date will be set for desegregation to start in Prince Edward's schools until the lawyers for the National Association for the Advancement of Colored People ask the District Court to fix a date. Such a request may come Monday, the court's designated motion day.

Washington, D.C.

Oliver W. Hill and Spottswood W. Robinson III, Richmond attorneys who have represented the NAACP in the various school cases, were in New York today.

Gov. Almond told newsmen yesterday the State planned no request for a rehearing, an action that would require "new matter" to be presented.

After consultations with Attorney General Albertis S. Harrison, jr., the Governor said, "we came to the conclusion no purpose could be gained" by seeking a rehearing.

On "Standby Basis"

Meanwhile, a spokesman for the Prince Edward County Educational Corporation said the group was continuing on "a standby basis" since its creation to operate private schools for the county's white children.

The chartered, nonprofit organization was set up shortly after the Supreme Court ruled in May, 1954, that Prince Edward discriminated against Negro children by operating segregated schools and ordered the schools desegregated. The county's Board of Supervisors said it would not provide funds for operating integrated schools.

"We're just holding on where we are until we can see what happens," said Joseph Barrye Wall, jr., Farmville attorney and chairman of the educational corporation's Curriculum Committee.

This committee and others dealing with transportation, teachers and physical facilities have been among the working groups which have made detailed plans for operation on a private school basis.

Arrange for Classrooms

These groups have arranged for classrooms, primarily in church buildings, and teachers, and also obtained pledges of some $220,000 for teacher salaries.

Mr. Wall said that the pledges, made on a two-year basis, had expired and that no effort had been made as yet to obtain new ones.

He said the leadership felt the pleges would be renewed and perhaps increased if and when private operation began.

The pledges "indicated the feeling at that time," he said, but the corporation has "not made any detailed plans" for a further fund-raising effort. Approximately $10,000 contributed in cash when the pledges were made in 1955 is held in reserve by the corporation.

"Same Curriculum"

Mr. Wall said the curriculum committee decided "the same curriculum could be offered" under the private school plan as heretofore, "although curtailment in some activities would probably result."

The committee concluded, he said, that Grades 1 through 8 could be easily switched from the public to the private system since "classes remain in one room and no special facilities are necessary." The major problem was found in planning for high school classes, some of which would require special equipment.

Special facilities would be for science, commerce, home economics and industrial arts courses.

Prince Edward, one of five localities figuring in the Supreme Court's desegregation decisions of 1954, has 1,481 white pupils and 1,716 Negro pupils in the public schools. The white high school enrollment is 477 and the Negro 500.

There are 72 white teachers and 71 Negro in the county which receives almost half of its school operating funds from the State.

Virginia has worked out a "massive resistance" program of school legislation calling for withholding of State funds from schools integrated under court order and a plan of placement of pupils by a State Pupil Placement Board. The 1958 Legislature moved to strengthen the laws enacted in 1956 but did not alter the course of resistance to integration.

Operate Without State Aid

Hirst Predicts Arlington Will Bow to Integration

Post Times-Herald

Washington

Arlington County will obey Federal court orders to integrate its public schools and if necessary will run the schools without state aid, Del. Omer Hirst of Fairfax County said yesterday.

In spite of Virginia's anti-integration policies, Hirst said, he did not foresee the closing of the Arlington schools for "more than a few days."

Hirst and Fairfax State Sen. John A. K. Donovan appeared Tuesday night before four Falls Church parent-teachers associations to discuss school legislation.

Thur. 4-10-58

Members of the audience suggested that local residents stage a "taxpayers' strike" if the schools were closed, and that the issue be forced this spring by entering Negro pupils in summer sessions at white schools.

Hirst told them he "doubted the wisdom" of this kind of action.

He prescribed for Northern Virginia "patience and fortitude, with an occasional drop of righteous indignation."

Donovan told the meeting that Arlington would have to raise its taxes about 20 per cent to compensate for the loss of state aid to its schools.

A Federal court has issued an order requiring the Arlington School Board to admit seven Negro pupils to white schools. This order has been appealed to the Supreme Court.

Hirst said he expected the Supreme Court to sustain the order, and that the resulting collision between Federal law and state law would take place in September.

The Arlington schools might lose state aid by allowing integration, Donovan declared, but if the schools were converted to a private basis to escape Federal court orders, then the county would lose its Federal aid.

This loss "would boost the taxes another 20 per cent," he asserted.

May Lose State Funds But County Will Obey Order, Solon Predicts

ARLINGTON, Va (NNPA — Virginia General Assembly Delegate Omer Hirst of Fairfax-Falls Church predicted Tuesday night that Arlington County will comply with a Federal Court order to integrate public schools, even at the cost of losing State aid.

The Informer

P. 1

He said he expected a final order requiring the Arlington School Board to admit seven colored pupils to white schools would be handed down by September.

Sat. 4-19-58

The ruling, he warned, will precipitate a major showdown on Virginia's "unsound" program of "massive resistance" to school integration.

Delegate Hirst and State Senator John A K Donovan of Fairfax-Falls Church, critics of the State's "massive resistance" laws, spake at a meeting of four Falls Church Parent-Teacher Associations at George Mason High School.

Houston, Tex.

Senator Donovan told the group he agreed, "rather extensively" with Mr Hirst's prediction on next September's showdown.

Judge Albert V Bryan of the Federal District Court in Alexandria, Va has directed Arlington to admit seven colored students to white schools. His order had been suspended, however, pending the outcome of an appeal now pending before the Supreme Court.

Virginia's "massive resistance" laws provide for the automatic closing of any school where integration occurs, and the withholding of State school funds from any locality that attempts to operate mixed classes.

Delegate Hirst said Arlington County would have to raise local taxes 20 per cent to make up for the loss of State aid because of integration.

Informer P. 8

In answer to a question, Senator Donovan said to convert the schools to private institutions would deny the county Federal aid, "which would boost the taxes another 20 per cent."

Sat. 4-19-58

Delegate John C Webb of Fairfax-Falls Church said last month that he does not think "people realize how close we are to c h a o s and closed schools."

Houston, Tex.

He predicted that the Federal Government would take over operation of Virginia schools when the State's massive resistance laws start closing them.

Negroes Will Try To Enter Virginia Schools In Fall

142(1)

Daily News p. 1
Tues. 5-13-58
Jackson Miss.

CHARLOTTESVILLE, Va. (UP)—Local NAACP officials, armed with a desegregation deadline handed down by a federal judge Monday, planned to present Negro children for admittance to Charlottesville white schools next September.

George R. Ferguson, president of the Charlottesville NAACP chapter, confirmed that Negro students would be brought to white schools to execute Judge John Paul's decision that Charlottesville must desegregate its public schools by September.

State officials made no immediate disclosure of action they planned to take, but presumably the entrance of the first Negro student into a white school would automatically close the school under state law and put it under the governor's jurisdiction.

Gov. J. Lindsay Almond intimated the state's carefully legislated program of "massive resistance" to integration would be set off in such an event. Almond, commenting on Judge Paul's decision, said he would "follow the statutes as laid down by the state of Virginia."

CLOSING BY STATE MAY FOLLOW COURT ACTION

Negroes Expected To Attend Arlington Schools

Constitution
Wed. 5-21-58
p. 3A
Atlanta, Ga.

RICHMOND, Va. (AP) — Still more signs emerged Tuesday that some Negro pupils will be enrolled in some Arlington County white schools this September—cracking Virginia's anti-integration defenses and forcing the closing of the schools involved.

Attorneys in the Arlington desegregation case appeared reconciled to this turn of events. And two Negro families involved in the case reinforced this feeling by announcing they plan to send their youngsters to white schools in the fall.

These developments followed the U.S. Supreme Court's refusal on Monday to hear an appeal from a U.S. District Court order calling for the admission of seven Negro plaintiffs to three white Arlington schools.

Lawyers close to the case discounted the possibility that the Supreme Court will be asked to reconsider its Monday decision.

They doubted Virginia's revamped pupil placement act could be used in new legal efforts to defer or delay court ordered integration while the act's validity is being tested.

Enrollment of Negro pupils in some white Arlington schools ultimately could mean the cutting of of state school funds throughout the county.

Supreme Court Sets Virginia Showdown

Advertiser Montgomery, Ala.

Last-Ditch School Law Plea Denied

Tues. 5-20-58
p. 1

1429

WASHINGTON (AP) — The Supreme Court has nudged Virginia a big step nearer a showdown on its policy calling for closing of public schools rather than desegregating them.

Without comment, the court rejected Monday a last-ditch effort by Virginia to stave off an order for admission of seven Negroes to white schools in Arlington County, just across the Potomac River from the national capital.

PARIS (AP)—A Communist ordered strike stopped the Paris subway system for three hours and cut city bus service in half as Gen. Charles de Gaulle began his news conference Monday.

In Miami Beach, Fla., where he is attending the annual governors conference, Gov. J. Lindsay Almond of Virginia said "I see no change in the situation in Virginia. We have state laws which we believe to be intact and they will be applied in an honest effort to save public education from the chaos which these decisions would impose upon it."

By refusing to hear the case the high court left the way open for enforcement of the order issued by U. S. District Judge Albert V. Bryan of Alexandria.

Judge Bryan's order called for admission of the seven Negroes at the beginning of the school term last fall, but he held up its effectiveness pending appeals. The U. S. Court of Appeals in Richmond last Feb. 12 upheld Bryan.

TIME LIMIT

The Supreme Court's action apparently left Virginia with only one more legal move available—to ask the high court to reconsider its action. The time limit for such a plea is 25 days.

Of five desegregation cases involving Virginia, the Arlington case may provide the first showdown on Virgnia's various segregation laws. Judge Bryan's order is the only one so far which has named the Negroes to be admitted to white schools and specified the schools.

Virginia laws call for closing of public schools wherever integration takes place. And if schools are reopened on a desegregated basis, state aid is to be cut off.

Virginia and the county school board, which appealed from the Court of Appeals' ruling upholding Bryan, raised various legal contentions. Among other things, they contended Judge Bryan erred in taking over the function of a local school board before the board had been given a chance to use its judgment in making pupil assignments.

Judge Bryan did not rule out as invalid a Virginia pupil placement law. But he did say that Negroes could not be forced to use the law because submission to it would amount almost to assent to a racially segregated school.

In other actions, the high court:

1. Outlawed in a 6-3 decision a dual rate system of transportation charges used by scores of steamship operators groups. The system provides cheaper rates to shippers who sign an exclusive patronage contract.

2. In a case turning on the issue of double jeopardy, upheld 5-3 the conviction of William Hoag on an armed robbery charge in connection with a 1950 holdup of a Fairview, N.J., tavern. Hoag was accused of robbing three people at the tavern, tried and acquitted. He was put on trial again, accused of robbing a fourth person, was convicted and sentenced to 5 to 7 years.

3. Set aside the conviction of Frank Andrew Payne, 19, an Arkansas Negro convicted of robbery-murder of his white employer. The majority in a 7-2 decision said a confession by Payne may have been coerced by a threat of mob violence. Justices Clark and Burton dissented.

4. Threw out the contempt of Congress conviction of Harry Sacher, New York attorney in Communist causes. The contempt charge was based on Sacher's refusal to answer questions put to him in 1955 by two members of the Senate Internal Security subcommittee. The high court held that questions about Communist affiliations were not clearly pertinent to the subject matter the two senators were authorized to investigate. It was an unsigned opinion to which Justices Clark and Whittaker dissented.

5. Refused for the second time to act on appeals by T. Lamar Caudle and Matthew J. Connelly, high officials in the Truman administration convicted of conspiring to fix an income tax evasion case.

6. Refused Monday to hear an appeal by a Pennsylvania farmer who said his religious beliefs prevented him from complying with the federal marketing quota imposed for the 1954 wheat crop.

7. Refused to review Federal Power Commission approval of a plan to pipe natural gas from South Texas to Miami, Fla. Review was asked by the Florida Economic Advisory Council, an

association of fuel oil dealers, ruck lines, marine transportation companies and allied businesses.

14d(1) 1958

VIRGINIA

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High Court Balks Virginia Racial Review

WASHINGTON, March 3 (AP)—The Supreme Court dealt another setback today to Virginia's program of "massive resistance" to any racial segregation in its public schools.

In the most routine way possible, the high court refused in a one-line order to review an anti-racial discrimination decision of the U.S. Fourth Circuit Court of Appeals whch Virginia said would result in closing all public schools in Prince Edward County.

Advertiser P.1

That decision directed U.S. District Judge Sterling Hutcheson at Richmond to fix a deadline for Prince Edward school officials—in southern Virginia — to start carrying out the Supreme Court's 1954 decision outlawing compulsory segregation in public schools.

Jan 3-4-58

Virginia, asking the Supreme Court to overturn the appellate court, said:

Montgomery
Ala

"The federal courts assume a terrible responsibility when they order the closing of public schools. This is what the circuit court has done and what this court will do if the order appealed from remains in effect."

"MASSIVE RESISTANCE"

Virginia has enacted a package of anti-integration laws which the state's leaders call "massive resistance." The laws, among other things, call for cutting off state aid and closing down any public school which is integrated pursuant to a court order.

In other major actions today, the court:

1. Put off until the next term of court in the fall ruling on the dispute between the federal government and the five Gulf states on the states' offshore boundaries. Involved in the litigation is the ownership of oil rich submerged lands.

2. Ruled 8-1 that the Army must base a soldier's discharge solely upon his military record, and not take into account his preinduction activities.

This decision means that two New Yorkers who received less-than-honorable discharges on the ground of procommunist activities prior to induction now will get honorable discharges. They are John Henry Harmon III, New York law student, and Howard D. Abramowitz, a Brooklyn psychologist, whose service as soldiers was described as "excellent."

Action to avoid the less-than-honorable discharges must be taken in U.S. District Court, where the men had lost out before.

In a brief unsigned opinion, the court rejected the contention of th Justice Department that the federal courts had no jurisdiction over the type of discharge given by the armed forces.

3. Upheld 7-2 the right of a state to levy taxes on a user of tax-exempt property, including plants owned by the U.S. government, when used by a private party for business purposes.

4. Threw out 8-1 an appeal by 23 Hollywood writers and actors seeking to sue for damages for being blacklisted by the film industry after they refused to testify before the House Committee on Un-American Activities.

State Senate Votes To Shut All Schools Near Patrolled One

14 d(1)

By Robert E. Baker
Staff Reporter

RICHMOND, March 3—The Virginia Senate passed a watered-down "Little Rock Bill No. 2" today to allow the Governor to close schools in the neighborhood of one patrolled by Federal troops.

The vote was 32 to 5, with Sens. Armistead L. Boothe of Alexandria, John A. K. Donovan of Falls Church, Ted Dalton of Radford, S. B. Carter of Fincastle and E. E. Haddock of Richmond dissenting. Sen. Charles R. Fenwick of Arlington supported the measure.

Post D.B.1
Jan 3-4-58
Washington D.C.

The bill, as passed by the House, would have permitted the Governor to close all schools in any school district for nearly any reason. But the Senate Courts Committee restricted the closings to schools in the vicinity of one patrolled by Federal forces.

In passing the amended bill, which now goes back to the House for concurrence, the Senate beat down an amendment offered by Dalton which would have permitted the Governor's action only if requested by the local school board and governing body.

'Little Rock No. 1'

Gov. J. Lindsay Almond already has signed into law "Little Rock Bill No. 1," which automatically closes a school patrolled by Federal troops.

The House of Delegates, meanwhile, dealt with scores of bills adn resolutions as the General Assembly's final week began.

The House passed and sent to the Governor a bill he requested in his inaugural address to set up a Commission on Constitutional Government. This group will explain and publicize Virginia's position on states' rights. The vote was 82 to 0.

The House debated and took the sting out of a resolution directed at attorneys for the National Association for the Advancement of Colored People. The proposal, as introduced by Del. John Boatwright, directed the Virginia state bar to take action against the attorneys who were accused of unethical conduct by he Boatwriht Racial Investigation Committee.

To Senate

It was amended, however, to become a request to review the accusations and take disbarment action if justified. The measure now goes to the Senate.

Virginia's Assembly Grants More School Closure Power

RICHMOND, Va., March 3 (AP)—The General Assembly today gave Gov. Almond further school closure powers and moved toward asking the state bar to crack down on any unauthorized practice of law in racial litigation.

Advertiser P.1
Jan 3-4-58

These actions marked the virtual windup of the legislation dealing with racial matters as the assembly speeded up its drive in the final week home stretch to adjournment.

Montgomery
Ala.

In other top developments:

Gov. Almond asked the assembly to set up a legislative commission to study proposed increase in student fees and tuition at state-supported colleges to make them more realistic in the light of present costs. The Senate promptly approved such a resolution offered by Sen. Garland Gray who said an increase of only $100 per student would mean as much as $4-million in revenues.

Final action on school closure came with Senate passage by a 32 to 5 vote of the Little Rock Jr. Bill to permit the governor to shut down all schools in a district where one is patrolled by uninvited federal authority. The parent Little Rock Bill, automatically closing a school policed by federal forces, already has been enacted.

Integration Day Uncertain

FARMVILLE, Va., March 3 (AP)—Federal Judge Sterling Hutcheson said today he has "no idea" when he will set a firm date for Prince Edward County to begin desegregation of its public schools.

Advertiser P.1

The U.S. Supreme Court earlier today declined to review a Fourth Circuit Court of Appeals decision requiring Hutcheson to set a time limit for the Virginia county to begin the desegregation process.

Jan 3-4-58

The decision — which the state administration contends would force the closing of all Prince Edward schools — now goes back to Hutcheson for compliance. The judge said he was unable to predict when the case would reach his docket.

Montgomery
Ala.

Other principals in the Prince Edward County case had no comment. Both county and state officials indicated no plan of action might be drawn until after Hutcheson sets a deadline for desegregation to start.

Gov. J. Lindsay Almond Jr. said "'The action of the Supreme Court certainly was not unexpected."

Hutcheson had declined to set a desegregation deadline in an opinion Jan. 24, 1957. This decision was appealed by the Negro plaintiffs to the circuit court.

Virginia Passes Bill To Prevent Integrated Schools

World P.1
B'ham Ala

RICHMOND, Va.—(NNPA)—Despite a dramatic plea by State Senator Armistead L. Boothe of Alexandria, the Virginia Senate Friday passed a bill to prevent a locality from operating integrated schools at its own expense.

The disputed law, which finally passed by a vote of 27 to 9, gives the Governor the power to keep a school closed after it has been closed because of integration.

Blessed by Gov. J. Lindsay Almond, the measure would change one of the State's "massive resistance" laws.

Sat 3-8-58

Existing laws requires the closing of a school if a single colored child is admitted which the Governor attempts to reopen it on a segregated basis. It also requires the Governor to reopen it at the request of the local school board or governing body.

The change voted by the Senate would let the Governor keep the school closed even if requested to reopen it by both the governing body and the school board.

Prince Edward Loses Case In Supreme Court

Journal & Guide
Norfolk Va.
Sat 3-8-58

Special to Journal and Guide

WASHINGTON, D. C.—The U. S. Supreme Court Monday refused to review a Circuit Court of Appeals ruling that Prince Edward county, Va., should begin integration of its schools.

P.1

The high tribunal's action, in effect, orders U. S. District Judge Sterling Hutcheson of Richmond to fix a deadline for Prince Edward county officials to begin carrying out the Supreme Court's anti-segregation decision of May 17, 1954.

P.5.

* * *

THE COURT Monday merely announced that the Virginia county case, along with some others, would not be heard by the tribunal.

This means that the Circuit Court's order for a deadline to be fixed launching integration stands.

Journal & Guide

IN ITS APPEAL to the high court, the Virginia county said that an integration order would cause the county to close its schools.

The appeal contended that "public sentiment" would necessitate the closing. A state law orders the closing of schools in any district where integration takes place, however.

Sat 3-8-58

Virginia, plainly, is due for its biggest test in the school muddle. The U. S. Supreme Court has ordered a start to integration. The state says "integrate and we close you up."

New Racial Laws Shame Virginians

Journal & Guide
Norfolk Va
Sat 3-8-58

Governor's "Death Of Democracy" Bills Jammed Through

P.1

Editorial Correspondence

RICHMOND — Virginia's General Assembly, hell-bent on making the state's "massive resistance" policy on schools integration even more massive, has turned out "Death of Democracy" legislation as matters of formality and with the consistency of an assembly line.

And many of these bills — passing because of the upper echelon sponsorship — are bringing the state closer and closer to an all-out "war" between state and federal forces.

Now coasting toward closing, the 1958 session of the Assembly is one that Virginians for many years will look back upon as being the most reactionary of modern times, even rivaling the special session of 1956.

* * *

SHUNTING worthwhile social reform measures into the background, the state's legislators are continuing to grind out bills they hope will make defiance of the U. S. Supreme Court "legal."

Passed last week is a measure with which the Assembly hopes to "renovate" the state's segregation laws. The measure provided that the pupil placement act be changed so as to give the governor the power to close and keep closed any school that integrates its student body.

* * *

THE ORIGINAL placement act said that the governor could close such a school but required that he turn the school back over to the locality when the local school board requested it. The new bill would stop the return of the school to the locality, deny it state funds for support and put the governor in control as long as he wanted to stay there.

The indication is that any time one school in any school district obeys the U. S. law, the governor can step in and close all schools in that district and keep them closed as long as he likes.

AND THIS BILL passed with all the administration backers in both houses of the Assembly listed as sponsors.

In grinding out its series of "Death of Democracy" bills, the Assembly took pains not to overlook a measure which it feels will open NAACP records to prying legislators.

* * *

WHILE CLOAKED in usual legislative double-talk, a measure which passed the

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Virginia Affairs

Post & Times Herald

The South's Ineluctable Battleground

Washington, D.C.

By Benjamin Muse

Sun. 3-31-58

THIS COLUMN called attention last week to the unusual significance of the clash foreshadowed by the intensifying attitude of resistance on the part of state authorities to the Supreme Court's ruling against public school segregation and the broad effort under way in Federal courts to bring about its enforcement.

P.2-E

Muse

There are a number of reasons why Virginia would be the logical place for the supreme showdown on the issue of compliance or "massive resistance" in the South. Both sides of the segregation controversy are represented with particular force here.

By a combination of circumstances, the National Association for the Advancement of Colored People, hated by most white Southerners and revered by Negroes, has become the activating agent of the desegregation mandate. Virginia is the most vigorous center of NAACP activity in the South.

That organization has a larger membership in Virginia than in any other Southern state. The only regular representative of the NAACP Legal Defense Fund on retainer ($6000) in the South is Spotswood W. Robinson of Richmond. Robinson, a veteran of antisegregation litigation, played a distinguished part in the prosecution of the orginal school cases before the Supreme Court.

Both Robinson and Oliver W. Hill, chairman of the legal staff of the state conference, are prominent in the national councils of the NAACP and are members of its national legal staff. A dozen other Negro lawyers are members of the state NAACP legal staff.

ON THE OTHER SIDE, Virginia has been the ideological spearhead of "massive resistance. Sen. Harry F. Byrd was one of the earliest users, if not the inventor, of the expression. He was the chief instigator of the "Southern Manifesto." Virginia gave "interposition" to the South. Virginia has not yet produced violent episodes, but it has gone as far as any other state in official and legislative defiance.

Virginia also enjoys unique prestige—not in North Carolina, which instinctively is inclined to scorn rather than follow the example of the Old Dominion—but in the Deep South. The strident defiance of Virginia undoubtedly has influenced the Deep South states.

At the same time, there is less excuse for hysterics and contortions here than in the latter states, with which Virginia is making common cause. Virginia has a smaller percentage of Negroes in its population and has a far milder race problem.

The difficulties in the way of general desegregation in the near future in the small section of Virginia where the heavy Negro population is concentrated are grave and not to be underestimated. But in the state as a whole the problem is more largely political and synthetic than in any other Southern state.

A DEGREE of natural liberalism on the race issue on the part of Virginians was indicated by the desegregation of buses, state institutions of higher learning and Catholic parochial schools in this state—entirely without incident. Moreover, Virginia is practically surrounded by states which are complying in some measure with the Supreme Court's ruling.

Virginians crossing the long boundary line of West Virginia see school integration in entirely harmless operation there. Every school district in West Virginia has now been successfully desegregated.

These same citizens return to counties on the Virginia side of the line—often with a smaller percentage of Negroes—where officials are prevented from so much as planning for desegregation, and where the closing of public schools is threatened if they terminate the expensive arrangements for the segregated education of each county's handful of Negro children. In half of Virginia there are fewer Negroes in proportion to the population than in many Northern areas where segregation has long been eliminated.

This writer has often criticized the tactics of the NAACP. Its continued pressure in the extremely difficult case of Prince Edward County is to be deplored, and not all of the other four school districts in suit were wisely chosen for the first desegregation initiatives. But it is understandable that the enemies of public school segregation should choose Virginia as the state in which to mount their main offensive.

14d(1) 1958

VIRGINIA

Community vs state

Segregation struggle in Virginia's Arlington County may be epic one

EDITOR'S NOTE: Four years ago on May 17 the Supreme Court of the United States handed down a unanimous decision holding Negroes could not be barred from public schools solely because of race. Here is what's happening now in schools in Dixie, particularly in Virginia where a county is opposing the state to keep its schools open.

News P. 22A Va.

BY BEM PRICE, AP Newsfeatures writer

ARLINGTON, Va., May 17—Virginia has declared a policy of massive resistance to any form of school integration. It is one of seven states still holding that solid line. But before the year is out, the nation may well see Arlington County arguing the rights of a community against the state.

It could begin an erosive process that would leave the South split into islands of segregation.

Sun 5-18-58

In some measure, the process has begun. Once there were 17 states solidly in the pro-segregation ranks. Now only in Virginia, South Carolina, Georgia, Alabama, Mississippi, Louisiana and Florida is there no integration whatsoever in public schools.

FOUR YEARS AGO today, the Supreme Court handed down a unanimous opinion declaring that it was unconstitutional to bar Negroes from public schools solely because of race.

B'ham Ala

In the years since, resisting states have erected a series of legal barricades to integration. As a last-ditch measure, each of those remaining in the solid line has, in one form or another, set up machinery to close public schools altogether, either singly or collectively.

Florida and Louisiana, for example, have laws permitting the closing of schools under the state's police powers—that is, the authority to preserve law and order. The other five states have laws whereby any school or school system is automatically closed if a member of the opposite race is admitted, and all state aid is eliminated.

Virginia is one of these. But Arlington, a county within a city, may give the nation the strange spectacle of a community defying the state on the matter of school integration.

It will find an urban area pitted against rural sections where emotionalism over integration runs high.

FUNDAMENTALLY, the basic question is whether federal courts can enforce their orders in the face of state defiance.

For Virginia—and the other six states—the more relevant issue is whether public schools are to be integrated in compliance with federal court orders or closed altogether.

If Arlington, which has only 1400 Negro students among its 23,000 total, fights to maintain its excellent public school system and wins, it will be the first penetration of the don't-give-an-inch states by integrationists.

In the seven states which have no public school integration, there are 11 suits in federal courts to break the pattern, five of them in Virginia alone. There is no suit pending from Mississippi. One case from South Carolina already has been decided against segregation but no action toward implementation has been taken.

IN THE ARLINGTON case, where seven Negroes are seeking entry into four white schools, there is apparently no room left for legal maneuvers to delay a showdown. All that remains to be done in Arlington's case is for a federal judge to set a date for the beginning of integration. It probably will be in September.

Virginia law requires the closing of any school which admits a member of another race. If this doesn't discourage the applicant, the state is required to close the schools in the offending county on the particular educational level under attack; that is, all elementary or all high schools.

Further, the Virginia law automatically cuts off all state financial aid to the county involved, even if the county is acting in compliance with a federal court order.

If the schools are closed, the state is authorized to make tuition grants to individual students desiring to attend private schools.

Under Virginia law the governor has the discretion to reopen a closed school system. Gov. J. Lindsay Almond is pro-segregation.

WHILE MEMBERS of the Arlington School Board are resigned to a temporary closing of the schools, there is considerable evidence that Arlington is going to fight to maintain its public school system, which ranks as one of the best in the nation.

Arlington County's Council of Parent-Teachers Assns. has voted unanimously to oppose the closing of public schools if integration occurs.

William M. Lightsey, PTA council president, and 22 other Arlington County civic leaders set up an organizing committee to preserve public schools. O. Glenn Stahl, the temporary chairman, emphasized "We are here concerned with neither perpetuating segregation in the schools nor hastening integration."

Its aim, the committee said in its first formal statement, was "to pursue every legal means to keep the public schools open."

Lightsey says: "The only thing we ask is local determination. We are perfectly willing for Prince Edward to close their schools if they want to."

PRINCE EDWARD County in Southern Virginia was a defendant in the 1954 suit which led to the Supreme Court decision. Determined to close its public schools over the integration issue, it is planning to set up a private school system for white students only. There are vast differences between Prince Edward and Arlington. While Prince Edward has more Negro than white students—1716 to 1463—Arlington's ratio is 15 whites to one Negro.

The fact that the average Arlington resident is much better paid and better educated than his counterpart in Prince Edward is probably a major factor in Arlington's attitude toward education.

Arlington, a suburb of Washington, D. C., is made up mostly of government workers with a median income of $5,489 and median educational level of more than 12½ years. This is one of the highest levels on both counts in the nation.

In agricultural Prince Edward, the median income is $1,635 and the educational median is 7½ years. The state average is $2,602 and 8½ years. All these figures are from a 1955 state survey of residents over 24 years old.

THE EMBATTLED Southern county has set up a non-profit Prince Edward Educational Corp., which has more than $200,000 in pledges for the operation of private schools in whatever warehouses, churches and lodge halls are available.

Blanton B. Hanbury, head of the corporation, says the private school plan could not operate long without state aid. Currently the state supplies $412,300 of the country's $760,529 school budget.

"We couldn't," says Hanbury, go on indefinitely. We could hold forth for a year, but after that we would need help from the Legislature."

IN ARLINGTON the five-member county school board is split along liberal-conservative lines with the liberals having a one-vote majority. Once the school board was elected, but the privilege of the county to control its school affairs through the ballot was removed by legislature action last year. The board now is appointed by the county superintendent.

James G. Stockard, chairman of the Arlington School Board, says that officially the board is unprepared for what happens next. "We have done absolutely no planning since about two years ago. (At that time limited integration was planned.) Arlington does not have the initiative in this. We are taking orders from the state."

Mrs. Elizabeth T. Campbell, former board member now on the PTA Council, puts the problem this way: "The schools will have to close first. People just can't believe it is going to happen. We either have public schools for all the people—or no schools at all."

Mrs. Campbell, former dean at Mary Baldwin College, Staunton, Va., has worked for nearly 20 years to improve the scholastic standing of Arlington schools. She is frankly angry at the threat to the system.

Already five top administrators have quit to go elsewhere—places not bothered by the race question.

WHAT HAPPENS if Arlington tries to operate without state aid? "We could operate seven months," says Lightsey, "Without a nickel from the state. I'm sure we could raise the additional money necessary to make up the loss from the state without much trouble." Arlington has a school operation and construction budget of 11½ million dollars.

Some private individuals in Arlington—who decline to be named—are quietly investigating legal moves to prevent the closing of schools.

They argue that if state funds are withdrawn they will go into federal court and seek an injunction on the grounds they are not being given equal treatment in relation to other counties.

"We will," says one, "demand equal treatment. Either the schools in Arlington will remain open—or we will seek to close every school in the state."

NOT EVERYONE in Arlington agrees on maintaining public schools. Last month a group of pro-segregationists applied to the state for a charter as the 10th (congressional) District Fundamental Education Corp. The group proposes to set up a private school plan for whites only, similar to that in Prince Edward.

There is, in addition, an extremely active branch of the pro-segregation group known as the Defenders of State Sovereignty and Individual Liberty in Arlington. It is the Virginia equivalent of the Deep South's White Citizen Councils.

Will there be violence in Arlington over schools? Lightsey hopes not, but says it is possible if the county attempts to reopen the schools in the face of state opposition.

What happens in Arlington is vital to the Deep South. It could mean school chaos. Or it could mean that a new pattern is beginning to emerge.

Racial Rift Hits School In Roanoke

ROANOKE, Va., May 17 (AP).—Five Negro children have been withdrawn from Catholic schools here as a result of the first interracial incident since Virginia's Catholic schools were integrated nearly four years ago.

Star P. A22

Sat 5-17-58

Washington D.C.

The five, brothers and sisters, were taken out of Roanoke Catholic High School and its adjoining elementary unit, St. Andrew's, yesterday after the oldest—Vernon Dudley, a 17-year-old senior—reported he was shoved into his seat by a white student. The children were withdrawn by their father, Harvey G. Dudley, jr.

Vernon said the shoving occurred after the class was told the senior prom and banquet had been canceled. The cancellations followed a protest by the boy's mother against a school decision that Negroes would not be allowed to attend the dance.

The boy is the only Negro

in the class of 29 students.

Sister Mariam, principal of the school, operated by the Roman Catholic Diocese of Richmond, said she had no personal knowledge of the shoving incident but confirmed the five Dudley children were taken out of school.

Mrs. Dudley later declined to disclose the names of the other children.

Arlington Is Facing Mandate on Schools

Four Colored Pupils to Ask Shift in Fall

By MARY LOU WERNER
Star Staff Writer

Two Negro families involved in the Arlington County integration decision said today they definitely plan to send their four youngsters to white county schools in the fall.

1940

Their children are among seven who have been ordered into white Arlington schools in a decision that the Supreme Count yesterday refused to review.

Va.

Star P.A-17

The Supreme Court's action confronts the county with a mandate to enroll Negroes in white schools, in compliance with an order issued last September by Alexandria Federal Judge Albert V. Bryan. His order had been suspended pending outcome of the appeal.

Tues. 5-20-58

Mrs. Phyllis Costley, 5132 Twenty-second street, Arlington, mother of three school-age children, said she would send them to integrated schools in September.

Pleased by Decision

Washington D.C.

"I am very much pleased by the decision of the Supreme Court," said Mrs. Costley. "It is my hope that this will open the door to integrated use of Arlington schools."

Her children are George Turner, 14; Melvin Turner, 13, and Anita Turner, 11. George and Melvin are among the original seven plaintiffs in the integration case. They won the right to attend Swanson Junior High.

Mrs. George M. Nelson, jr., 2005 North Cameron street, whose husband is a District policeman, said she intended to send her 14-year-old son, George T. Nelson, to Washington-Lee High School, if the family is still living in Arlington in the fall. She explained that she and her husband have been trying to find a larger house.

Parents of two other children involved in the case were noncommittal about their plans, and another family said their two daughters would not make any attempt to change schools, even though they now have won the legal right to do so.

Noncommittal were Robert A. Eldridge, jr., 2716 First street, whose 9-year-old son Robert, won the right to attend Fillmore School, and Mrs. E. Leslie Hamm, 1900 North Cameron street, whose 12-year-old son Leslie, jr., won the right to attend Stratford Junior High.

No Longer Affected

Dr. Harold M. Johnson, 2901 North Lexington street, whose two daughters are among the seve nstudents in the case, declared that the decision no longer affects his family.

He explained that one daughter, Harolyn, graduates in June from Dunbar High School in the District and will be going to college in New Hampshire next fall. The other daughter, Rita, 15, is attending Immaculata High School in the District, he said, "and I expect she will be re-enrolled there next year. She likes it very much. She's very well adjusted there and wants to continue."

Technically, Judge Bryan's order becomes effective as soon as official word of the Supreme Court action filters down to the lower court — which usually takes only a few days.

This raises a possibility some Negro students involved may show up at their selected white schools when the mandate takes effect.

But with the school term nearly over, Judge Bryan presumably would choose to update his edict—putting it into effect with the next regular school session beginning September 4, or the summer session, June 16.

First Direct Order

It is the first direct integration order issued so far against a Virginia community. Virginia's other pending race cases do not yet involve specific applications of Negro students to attend schools of their choice, although Negroes are expected to show up at white schools in a number of localities when fall classes begin.

The minute Negroes enter white schools, State anti-integration laws provide for the automatic closing of the affected schools.

There are 4,466 white students enrolled at the four schools the Negroes seek to attend. Presumably, they would go without schooling while their schools are closed since the county would find it difficult to absorb so many students into other classes.

To turn the Negro students away could invoke contempt action against the Arlington school board, or the State Pupil Placement Board if it is established that the placement board now holds all assignment powers.

Star P.A-19

The Fourth Circuit Court of Appeals, in upholding Judge Bryan's integration order last February, commented that he had taken the "milder course" rather than citing the county school board for contempt.

Tues. 5-20-58

When a school automatically closes because of integration, the Governor is supposed to attempt to reorganize the school on a segregated basis. No time limit is specified.

Washington D.C.

The law further provides that the local school board and county board may ask the Governor to relinquish control of a closed school, and return it to the county. The Governor has the discretion to yield to the locality's request, or retain control of the closed school as he sees fit.

1940

Would Lose State Aid

Any locality that attempts to operate integrated schools will lose all State aid for its secondary or elementary schools, whichever is involved. In Arlington, both elementary and secondary schools are involved. During the current fiscal year, the State is contributing approximately $1.4 million toward the total school operating budget of $10.6 million. The Federal Government contributes $1.2 million, and the county finances the $8 million balance.

Va.

The seven Negro students involved in yesterday's decision appeared at white Arlington schools when classes began last fall. It was the first term after Judge Bryan's earlier desegregation decree against the county took effect. The desegregation decree meant that the county was forbidden from denying any students admission to schools because of race.

When they were turned away, the seven Negro students went to court, protesting they had been denied admission to the white schools because of race in violation of Judge Bryan's desegregation edict. Judge Bryan agreed, and ordered their admission to the schools of their choice last September 23. He later suspended the order.

Others May Appear

In addition to the Negro students involved in the court order, it is possible, now that a precedent is set, that other Negro students may appear at white county schools.

Arlington County has a student population of 22,812, of which 1,523 are Negro.

According to a survey released by county school officials in August, 1956, there were 48 Negro children living in areas served by white elementary schools and 21 Negroes in white high school districts.

The remainder of the Negro pupils lived closer to the county's five schools for colored.

There has been little change in the white and Negro residential pattern in the county since that time.

If all Negro students in the county showed up at the white schools closest to them, approximately 15 of the county's white public schools would be affected—including both senior high schools, Washington-Lee and Wakefield. The total number of white schools in the county is 42.

Yesterday's action removes any doubt about the State's ability to stave off integration with its original pupil placement law. The State and county had contended the seven Negro students were not entitled to enter the white schools because they had not been assigned there through the pupil placement procedure, which has been Virginia's No. 1 defense against integration.

First Test of Law

Judge Bryan, however, ruled that the students could not be compelled to use the placement law because it was designed to preserve segregation. A similar ruling had been rendered earlier in the Norfolk and Newport News school cases which went up to the Supreme Court, but the Arlington case was the first to offer a specific test of the placement law.

There is legal disagreement whether the entire placement law is unconstitutional, but the effect of the Arlington case makes it definitely unenforceable against Negroes.

An amended placement law takes effect the end of next month. It attempts to meet some of the criticisms raised in Federal Court decisions against the original law. But still in force are the school closing and fund cut-off measures which Federal Courts also had cited in holding the original placement law unenforceable.

Further Delay Possible

It is possible that the State may try to hold back integration another year while legal tests of the new placement law go through the courts. This was suggested at the 1958 session of the General Assembly when the new placement law was passed.

In the four years since the Supreme Court ordered desegregation, Virginia successfully had warded off any racial mixing.

But Federal Courts are not expected to be as generous in waiving enforcement of integration decrees for a second round of placement litigation as they were with the first.

Decision Expected

The Supreme Court's action was anticipated by most State leaders, and brought no startling reaction.

In Miami, where he is attending the National Conference of Governors, Gov. Almond said the Supreme Court's action brought "no change in the situation in iVrginia," adding:

"We have State laws which we believe to be intact, and they will be applied in an honest effort to save public education from the chaos which these decisions would impose on it."

Barnard Joy, acting chairman of the Arlington School Board, said the board would consult its attorney, James H. Simmonds, and through him, the attorney general of Virginia, "to determine what action, if any, should be taken."

State Senator Charles R. Fenwick was non-committal about the decision. It was disclosed, however, that he had written the Committee to Preserve Public Schools in response to a request for suggestions, recommending that they try to persuade the Negro students to stay out of white schools.

O. Glenn Stahl, temporary chairman of the committee, said he thought Senator Fenwick's recommendation was "completely unrealistic."

14d(1) 1958 VIRGINIA

Virginia Affairs

Summer Vacation With No End to It

14d(1)

By Benjamin Muse

~~IF THE~~ SHOWDOWN on public school desegregation and public school closing in ~~Virginia~~ is to come with the opening of the 1958-59 school term, it is less than five months away. Two more months of school, a summer vacation, and it will be upon us.

Muse

Post and Herald

The five school districts under Federal court desegregation orders embrace more than 600,000 citizens, or 15 per cent of the population of Virginia. What preparations are being made in this substantial part of the Commonwealth for what next fall may bring?

Sun. 4-13-58

For the desegregation of public schools, a great deal of planning and preparation has been found necessary in most of the areas where it has been effected. For the closing of public schools and the substitution of private schools, arrangements of the first magnitude, and of the utmost complexity, would have to be made.

Washington, D.C.

How much preparation is taking place? In the matter of improvising private schools to serve a large element of the school population, so little is being done that one must doubt that many citizens at the "grass roots" really believe that schools will be closed. If schools will not be closed, what then do segregationists think will happen when peremptory orders are received?

Only in little Prince Edward County have systematic steps been taken to establish a general system of private schools. But even there endless details of organization, housing, pupil assignment and administration remain to be attended to.

Elsewhere, the closing of public schools next September, from the present outlook, would simply leave the affected pupils without schools (and with nowhere to spend their tuition grants). The summer vacation would continue indefinitely.

OUT OF the confusion, of course, will come a mitigation of "massive resistance." Sooner or later—though not for some years in Prince Edward County—the public schools will be desegregated. And what preparation has been made for that?

In Charlottesville, a very active Council on Human Relations is planning diligently for the event, and it has some contact with city and school authorities. In Norfolk, the public school administration was planning confidently for desegregation until it was halted by state policy; church leaders and several private groups there are still planning. In Newport News, a valiant Peninsula Council for Community Cooperation is carrying on a helpful work.

In Arlington County, much constructive planning was done by the school board and by P-TAs and other groups in 1954 and 1955. The General Assembly struck a deadening blow to "preparedness" in Arlington when it punished that county for its school board's foresight by depriving it of the right to elect school board members by popular vote, but the problem is still being given much attention informally by individuals and groups.

NEVERTHELESS, constructive efforts like these have been more than offset by the hate propaganda of segregationist organizations and by the incitements to defiance from Virginia's political leaders.

In St. Louis, Louisville and other places where desegregation has been successfully accomplished, many planning and discussion meetings were held among teachers and pupils and among parents at P-TA meetings; books about the Negro (a subject on which most white people are abysmally ignorant) and about the desegregation problem were added to school libraries; the churches collaborated wholeheartedly in the spiritual preparation of the public.

One can imagine the furor which would be aroused among Virginia politicians if one school should add an "integrationist" book to its library. If any public school administrator should be so bold as to initiate discussions of desegregation among teachers or pupils in this state, he would be fired as surely as witches were burned in Salem.

The major influences which have been exerted upon teachers, pupils and the public in Virginia during the past two years have been of a kind not to prepare but sadly to unprepare for orderly adjustment to the law of the land.

Virginia Affairs

Charlottesville May Get Word Soon

By Benjamin Muse

Post & Times Herald

CITIZENS OF CHARLOTTESVILLE may know something definite with regard to the September public school desegregation crisis in a matter of weeks.

Muse

Federal District Judge John Paul first ordered desegregation of that city's schools to begin in September, 1956. All of the delay-by-appeal maneuvers now appear to have been exhausted—except one legal straw. The state's only hope of further delay is based on the fact that the Supreme Court has not ruled specifically that the Pupil Placement Act is unconstitutional.

Sun. 4-20-58

However, the high court refused to review a Federal circuit court ruling in the Norfolk and Newport News cases that the Pupil Placement Act failed to provide adequate remedies. Judge Paul, in a conference with the attorneys on May 12, will be asked to order desegregation beginning next September.

P E 12

Charlottesville has a large enough Negro population (18.2 per cent of the total) to make the problem one of acute and general concern. During the past two years there has been more agitation over segregation there, perhaps, than in any other Virginia city.

Washington, D.C.

The Charlottesville branch of the National Association for the Advancement of Colored People is extraordinarily active. It won the national membership contest in 1955 and is now in the midst of another membership drive with a goal of "1000 members." Charlottesville also has the strongest Council on Human Relations, in proportion to population, in the state.

On the other side, Charlottesville has one of the largest and most aggressive units of the Defenders of State Sovereignty and Individual Liberties. The extremists of this organization have canvassed the city with petitions and have organized defiant "mass meetings." They may be expected to get into even more sensational action as September approaches.

YET THERE ARE unusual elements of stability in the Charlottesville situation. Two former Governors of Virginia reside there. At suburban Farmington is also a onetime candidate for Governor who is now president of the Virginia Council of Churches.

Former Gov. John S. Battle has represented the defendants throughout the litigation and is one of those who will confer with Judge Paul May 12. He is also a member of the national Civil Rights Commission.

Battle is far from being an "integrationist," but he has refrained from inflammatory utterances and is regarded as at least a "near-moderate." Battle would hardly lend himself to any form of public disorder or of outright defiance of a court order. Former Gov. Colgate W. Darden, now president of the University of Virginia, and Francis Pickens Miller will be found firmly on the side of orderly compliance.

THERE ARE few extremists in the official picture in Charlottesville. The Superintendent of Schools, Fendall R. Ellis, is a quiet, thoughtful man who has walked the tight rope over state and Federal law thus far with unusual skill. Naturally, under existing local pressures, Ellis "has made no plans for integration," but the possibility has seldom been absent from his thoughts during the past two years.

The public protest in Charlottesville over the closing of schools will be more impressive, if less disorderly, than the excesses of fanatics when desegregation begins. Darden has said that a majority of the people of Charlottesville would prefer continuing public schools with some degree of integration to the closing of schools. Every present indication tends to bear out that belief.

Voters actually passed on the point in the recent councilmanic Democratic primary. Robert R. Ready, a bitter-end resister and advocate of segregated public schools or none, campaigned strenuously for one of the three contested Council seats and was soundly beaten at the polls.

Desegregation By Sept. Plan Of Virginians

14d(1)

CHARLOTTESVILLE, Va. (ANP) — Hearing on a petition to order desegregation of local schools with the September term will be held in Federal District Judge John Paul's court at Harrisonburg, Va., on May 12, it was learned last week.

Daily World
P. 1 Tue 4-22-58
Atlanta, Ga.

Atty. Oliver W. Hill, representing the Negro pupils, will seek to stir the local board into action on the case, which has lain dormant since the U. S. Supreme Court refused to review it on March 25, 1957.

Judge Paul on, July 12, 1956, ordered the local school board to end segregation by the following September. The state, however, appealed and during the interim, the general assembly enacted its "massive resistance" program against integration. On Dec. 31, 1956, the circuit court of appeals upheld the decision and subsequent appeal was made to the Supreme Court.

Private School Plan Pushed in Virginia

Post P. 1B

Dec 4-22-58

Washington D.C.

Northern Virginia segregationists have applied to incorporate a group which would set up a standby private school system for use in case Arlington schools are desegregated.

Papers were filed yesterday with the State Corporation Commission to incorporate such a group and to reserve the name "Tenth District Fundamental Education Organization of the Commonwealth of Virginia."

The application was made by Arlington attorney Betty A. Thompson, who said she was acting as attorney for a groujp of members of which she would not name. Miss Thompson ran for the Democratic nomination to the House of Delegates in 1957 on a segregation platform and was defeated.

For Education Action

The group would be patterned after a similar organization in Prince Edward County. Purpose listed on membership appications is to "take over at a moment's notice the continued education of our children . . . should persistent evil forces . . . place one Negro in one white school anywhere in the Tenth District."

Virginia law automatically closes a public school which is integrated. If the school manages to reopen state funds are withheld from all public schools in the division.

The group's members, according to the incorporation application, would volunteer free educational services to public school authorities in order to maintain operation of schools "in strict accordance with the laws of the Commonwealth," which provide for segregation.

They would also offer "wise counsel" to plaintiffs "of either race" whose names appear on litigation seeking admission to schools maintained for "another race," the application stated.

Forms Distributed

Jack Rathbone, spokesman for the Defenders of State Sovereignty and Individual Liberties, said membership application forms for the new group were being distributed widely in the Tenth District, particularly among former teachers and school administrators.

On another front, Rathbone urged the State Pupil Placement Board to withhold approval of a proposed shift of some 700 Arlington students to schools outside their neighborhoods.

Rathbone said he felt the shift was an attempt "to panic" Arlington voters into approving a $3.5 million bond issue to build Yorktown High School near Hall's Hill, a Negro community.

The Defenders feel such a location would foster integration. They want a strictly Negro school there.

Virginia Law To Face Test

Advertiser

Montgomery Ala.

RICHMOND, Va. (AP)—Virginia's determined policy on resistance to racial integration in schools appeared headed Monday for a September showdown test with federal court desegregation orders.

One of the few remaining legal barriers to the integration—and state closing of Charlottesville schools—was cleared away by an announcement that a federal court district court order calling for desegregation is still in effect. The order will become operative at the start of the September term.

Dec. 5-13-58

Across the state, in tidewater Virginia, attorneys for the National Assn. for the Advancement of Colored People asked Federal District Judge Walter E. Hoffman to make his old desegregation orders affecting Newport News and Norfolk public schools, also stayed by appeal, operative with the September term.

Hoffman hinted that he would comply with the request of NAACP attorneys. He set June 7 as the date to hear motions.

NEXT RACE CRISIS AREA

Integration Battle Near Blowoff Point In Virginia

Daily News

Jackson Miss

Jun. 4-27-58

p 1A

By AL KUETTNER
United Press Staff Correspondent

FARMVILLE, Va. (UP) — Virginia seems destined to be the next area of conflict in the South over the school integration crisis.

The trouble could come here or at any of the four other areas of the state that are under integration orders of the federal courts. And it could hit by school opening this fall.

The situation has conscientious leaders of both Negro and white races worried and perplexed.

Swept up in the problem are the school children. White pupils face the prospect of losing public schools. Negroes may lose schools of any kind.

Both sides agree that integration could not be accomplished here now without real trouble.

"TOO MUCH BITTERNESS"

The result of attempts to put even one Negro child into the white school would be drastic.

"Nothing is going to work until there is a change of heart among both races," Negro bricklayer Willie Redd told me. "There's just too much bitterness among both races."

Redd has sent six children through college. All had to leave the county because there was no high school at all for Negroes here then.

Any school integration attempt here would be met first by the state, which would take over operations—on a segregated basis. Failing that, the school would be closed. At that point, a stop-gap organization called the Prince Edward Educational Corp.—well heeled and already a going concern—would move in an attempt to operate a private school system. It would use churches and fraternal lodge halls for classes.

Suppose, however, that every defense against court orders to integrate the schools here should one day fail. What then?

I put that question to the president of the Parent-Teacher Assn., of the white high school, hardware merchant H. R. Wood. This is what he told me:

"I don't like to say a thing like this and God knows I hope it never happens. But if they ever try to put a Negro into school with my two children, I'll fight to stop it."

I am convinced that Wood's sentiments are shared by many white people here.

They have the feeling, however, that whatever is to happen is still some time away. For one thing, there has not actually been a Negro application for admission to a whi scholo.N ishrehtheeat to a white school. Neither has the NAACP followed up its latest court victory by petitioning for an integration date.

NO NEGRO SCHOOLS

There is a growing feeling that the NAACP may be relaxing the pressure here in preference to a possibly easier course in Arlington, Charlottesville, Newport News or Norfolk. These other Virginia cities are under court integration orders.

The thing that bothers Negroes about the private school plan here is that it makes no provision for Negro education. Their schools simply would go out of existence.

The power behind the plan is a local businessman, B. Blanton Hanbury, who says he is convinced Negroes are after a "gray race" and are using school integration as an opening wedge to social integration.

Hanbury says his group has financial pledges of $250,000 to guarantee teachers' salaries for a year and could get more. Actually it would take quite a bit more. The current school budget calls for $528,000 for salaries alone. Another $71,000 goes for transportation, a big factor in this county.

Unlike private school plans also contemplated in Alabama, Georgia and North Carolina, the plan of Hanbury's group does not envision accepting state money for fear of bringing down more adverse court decisions. But the group might get aid through some kind of tax kickback

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Virginia Faces Fall Showdown

Appeal P. 1

Judge Orders Integration In Charlottesville— No Appeal Left

By The Associated Press

Dec 5-13-58

RICHMOND, Va., May 12—Virginia's adamant policy of resistance to racial integration in schools appeared headed Monday for a September showdown test with Federal court desegregation orders.

One of the few remaining legal barriers to the integration—and state closing—of Charlottesville schools was cleared away by an announcement that a Federal District Court order calling for desegregation is still in effect. The order will become operative at the start of the September term.

NAACP Pressed Attack

There is no appeal because the original desegregation order was carried unsuccessfully to the United States Supreme Court.

Memphis Tenn

Across the state, in Tidewater Virginia, attorneys for the National Association for the Advancement of Colored People asked Federal District Judge Walter E. Hoffman to make his old desegregation orders affecting Newport News and Norfolk public schools, also stayed by appeal, operative with the September term.

Judge Hoffman hinted he would comply. He set June 7 to hear motions.

Two Others Involved

Virginia has passed a number of laws intended to avert school integration. It is prepared to shut down public schools rather than see them integrated.

Desegregation cases have reached slightly less advanced stages in two other Virginia localities—Prince Edward County and Arlington County.

Virginia Takes Arlington Case To High Court

Star P.A-1

Calls for Review On Enrolling Seven Negroes to Schools

By MARY LOU WERNER
Star Staff Writer

Washington, D.C.

Wed. 4-2-58

The Supreme Court today was asked to review the Arlington County school integration case.

A brief filed by the State of Virginia contends that Federal Judge Albert V. Bryan improperly took over the local school board's function when he ordered admission of seven Negro students into four white county schools.

By placing the Negro students in schools closest to their homes, Judge Bryan actually has discriminated against white students who do not enjoy the same privilege, the State brief claims.

First Decisive Test

Judge Bryan's order, which the Fourth Circuit Court of Appeals upheld in February, has been suspended pending outcome of the appeal.

If the appeal is unsuccessful, Arlington County will be confronted with the only direct integration order issued thus far in the State. Other school cases in Prince Edward, Norfolk, Newport News and Charlottesville have not yet reached the point where specific Negro students have applied to attend particular white schools.

The Supreme Court conceivably could act before the school term ends in June, and certainly will have taken some action before the beginning of the 1958 fall term. If the high court denies a review and Judge Bryan's order takes effect, the schools involved will automatically close as soon as Negroes enter them, under Virginia law. Another law provides for the withholding of State school funds from any locality that tries to reopen and operate integrated schools.

Antiwhite Bias Charged

The contention that Judge Bryan exceeded his authority, and discriminated against white students, is one of four arguments set forth by the State. The other three points are:

1. A three-judge Federal court should have been convened to handle the case, since constitutionality of the State's pupil placement law is involved. The placement law is part of the legal machinery adopted by the State to prevent integration. Judge Bryan did not say the placement law was unconstitutional, but held that Negro students could not be forced to use it because "submission to that act amounts almost to assent to a racially segregated school."

2. The Negro students should have proceeded as individuals, and not in a class action which had the effect of limiting the time available to the State to defend its position before Judge Bryan when the case was heard.

3. Judge Bryan's ruling conflicts with the decision of the Virginia Supreme Court of Appeals in the DeFebio case. In that case, the State court held that two Fairfax County white brothers had to comply with the pupil placement law. The State court said the DeFebio children were not in a position to challenge the placement law because it did not discriminate against them.

Second High Court Appeal

The appeal filed today marks the second time the Arlington County school segregation battle has worked its way up to the Supreme Court.

In July, 1956, Judge Bryan ordered Arlington County to begin desegregation of its public schools the following September. A desegregation order means that no student may be denied admission to a school because of race, but it does not necessarily involve an order to integrate if Negro students do not try to enter white schools.

Star A-A1

Judge Bryan's 1956 desegregation edict was appealed to the Supreme Court, and upheld in time to take effect with the opening of school last September. On the first day of the fall term, the seven Negro students presented themselves at white schools and were turned away on grounds they had not been assigned there under the State's pupil placement law.

Tue. 4-2-58

Cite Local Infringement

Their subsequent petition to Judge Bryan to enforce his 1956 decree by ordering their admission to the schools of their choice started the case on its way to the Supreme Court again.

In support of the argument that a Federal court should not exercise functions of a local school board, the State brief today cites a number of instances in Arlington County where white students do not attend the schools nearest their homes.

"The Arlington County school system, both elementary and high, is divided into school districts," the brief contends. "Children are not assigned to the school nearest their residence, but are assigned only to the school in the district of their residence."

Early Bond Vote Fought By Pro-Segregationists

Star A-B2

An Arlington pre-segregation group wants a delay in the voting on local bond issue proposals, some of which have a bearing on the racial question.

The Arlington Defenders of State Sovereignty and Individual Liberties has asked the Circuit Court to set the referendum on school and county improvements projects at the November general election.

County officials have said they will ask the court to designate May 13 for the balloting. The bond proposal totals nearly $8 million.

Washington D.C.

In a letter to Circuit Court Judge Walter T. McCarthy, the Defenders said May 13 would not give the voters enough time to study the multiple bond proposals.

Tues. 4-15-58

School Near Negroes

The School Board is asking for voter approval of a $3.5 million bond issue to build a new high school, Yorktown. The suggested site, at 5201 North Twenty-eighth street, is in a white school district and is about five blocks from the Negro community of Hall's Hill.

If Arlington desegregates its schools, students in Hall's Hill could request admittance to Yorktown High School on the ground it is considerably closer to their homes than the county's lone Negro high school, Hoffman-Boston.

In the letter, the Defenders said that "extreme alarm is taken by many Arlington citizens" over the proximity of the proposed school to the Negro community. The prosegregation group has suggested in the past that a small junior-senior high school be built in Hall's Hill.

Appeal Stays Order

Arlington is under a court order, now stayed for an appeal to the United States Supreme Court, to admit seven Negroes to four white schools.

The Defenders also said there are "many perplexing questions" pertaining to the general county bond proposals.

Included in these projects, which would require about $4.5 million, is $560,000 for a central library. The Defenders want branch libraries built in the Negro communities before a central library is considered. The group hopes that these branches would block racially mixed patronage at county libraries.

Segregationists Map Private School Plan

Star P.A-17

By SAM EASTMAN
Star Staff Writer

Segregationists in nearby Virginia are setting up an organization to furnish private schooling as a final defense against racially mixed classrooms.

It is to be patterned after the organization which has been established in Prince Edward County.

Washington D.C.

Local organizers are moving to try to beat an expected racial school crisis in Arlington in September.

Charter members are being sought for the 10th District Fundamental Education Organization of the Commonwealth of Virginia.

Enrolling Teachers

Organizers say they are anxious to sign up former teachers and school administrators.

Mon. 4-21-58

All teachers in the Arlington schools directly affected by a Federal Court integration order are to be invited by letter to take part in the private school system if classrooms are shut down, the organizers say.

Last September, Alexandria Federal Court Judge Albert V. Bryan ordered the admission of seven Negro children to four white schools in Arlington. This order was stayed for an appeal whic his pending before the United States Supreme Court.

Under Virginia law, a community's public schools automatically close if integration occurs. If the schools manage to reopen on an integrated basis, State funds are automatically withheld.

Incorporation Sought

One of the purposes listed by the Tenth District Fundamental Education Organization on its membership form is:

"To set up and create an effective standby school organization ready to take over at a moment's notice the continued education of our children shoudl persistent evil forces foreign to our Commonwealth, abetted by badges and bayonets of Federal bureaucrats, place one Negro pupil in one white school or one white pupil in a Negro school anywhere in our Tenth District."

Incorporation papers have been applied for in Richmond.

One of the organization's announced aims is to support Virginia's Gov. Almond and "strengthen his hand" in the maintenance of segregated schools.

Parents Urged To Keep Schools Open

Times Herald
p. 14
Wed. 4-24-57
Washington D.C.

The Arlington Citizens Committee for School Improvement has urged parents to work toward keeping Arlington schools open in an integration crisis.

The statement issued by Mrs. Howard M. Lehman, CCSI vice chairman said the 460-member organization "views with deep concern the attempt by a small group to undermine the public schools by encouraging the development of a private school system in Northern Virginia."

The reference was to recent efforts by a group of segregationists who are organizing the Tenth District Fundamental Education Organization of the Commonwealth of Virginia to set up a stand-by private school system for use in case Arlington schools are desegregated.

Mrs. Lehman's statement continued, "We would not deny any parent the right to support a private school for his child if he so desires, but we would urge the parents who believe in public schools to join with us in working for the best possible education for our children."

It added, "The majority of parents in Arlington County are in favor of maintaining good public schools and of keeping them open." .

Other statements urging that public schools not be closed have been issued by the Arlington County Council of P-TAs and the Northern Virginia Congress of Parents and Teachers.

The CCSI also sent a letter to the State Pupil Placement Board backing the proposed transfer of 700 students in North Arlington to schools out of their neighborhoods next fall in an effrt to prevent double shifts.

Jack Rathbone, spokesman for the Defenders of State Sovereignty and Individual Liberties and an organizer of the private school group, has urged the State Placement Board to withhold approval of the transfer. He charged the shift was an attempt "to panic" Arlington voters into approving a $3.5 million bond issue to build Yorktown High School near Hall's Hill, a Negro community.

The CCSI letter, signed by Secretary Joy M. Tod, said the Yorktown site "was selected to meet the immediate pressing requirements in that area of the County and will be a major factor in reducing the necessity for large shifts in high school pupil placement due to crowded conditions in existng County high schools.'

Virginia Citizens Study Private School System

Advertiser
p. 12B
Montgomery Ala.
Sun 5-4-58

RICHMOND, Va. (UP)—Citizens of the five Virginia localities under federal court order to integrate schools met Saturday to discuss means of setting up private white school systems.

The private school systems, similar to one already established in Virginia's Prince Edward County, would be ready to go into effect if public schools closed because of racial integration. A Virginia law would close any school in which racially mixed classes were taught.

Robert B. Crawford, president of the sponsoring Defenders of State Sovereignty and Individual Liberties, said "three or four" representatives of each of the localities accepted invitations to the meeting at Richmond's Jefferson Hotel.

DESEGREGATED CLASSES

Representatives were expected from Norfolk, Newport News, Charlottesville and the counties of Arlington and Prince Edward. All have been ordered to desegregate their classes, but all cases are pending in courts.

Citizens of Prince Edward County would explain to the others, Crawford said, how they have established a private school system in the event their public schools close. The private school system with teachers already assigned was backed by pledges of more than $250,000 and would be conducted in churches, private homes and other private buildings, Crawford said.

Prince Edward County was ordered to mix its classes in the Supreme Court's original desegregation order of May 17, 1954. In the latest of many court actions in the case, the U.S. Supreme Court on March 3 let stand a federal circuit court ruling that District Judge Sterling Hutcheson of Richmond must set a deadline for desegregation in the county.

7 NEGRO STUDENTS

Judge Hutcheson, who was reversed in a ruling that Prince Edward needed "more time" to desegregate has not yet set a deadline.

Arlington County, a Washington suburb, was ordred last Sept. 14 to admit seven Negro students to all-white schools by Sept. 23. Federal District Judge Albert V. Bryan of Alexandria, who issued the order, granted a stay for appeals, and the U.S. 4th Circuit Court of Appeals has upheld him. The case was appealed to the Supreme Court of Appeals has upheld him. The case was appealed to the Supreme Court April 3.

Federal District Judge John Paul of Harrisonburg, Va., ordered Charlottesville to desegregate on July 12, 1956, and the decision went unchanged through the Supreme Court. A hearing for attorneys of both sides before Judge Paul is set for May 12. The National Association for the Advancement of Colored People will ask them for a deadline next September.

Federal District Judge Walter Hoffman of Norfolk ordered Newport News to desegregate on Feb. 12, 1957 and issued the same order against Norfolk the followin day. Both were ordered to desegregate by last September, and both cases have gone unchanged through the U.S. 4th Circuit Court of Appeals.

Date for Desegregation To Be Asked Monday

Star Washington D.C.

NEWPORT NEWS, Va., May 8 (AP).—Federal District Judge Walter E. Hoffman will be asked Monday to set a date for Newport News to begin desegregating its public schools.

W. Hale Thompson, attorney for Negro plaintiffs, announced yesterday he would make the plea for a firm date for the start of desegregation. But he also held out the possibility that he and his clients would be satisfied with a gradual or stair-step approach to public school desegregation.

"We know that moving from a totally segregated school situation to a desegregated one involves tremendous psychological and sociological problems," Mr. Thompson said in a statement. "From our point of view, the only intelligent thing to do is to try to reason this out together. It should be evidence to all concerned with our public schools that no unilateral solution is possible from either side."

Thurs. 5-8-58

Three Hearings Set

The hearing on the Newport News request will be the third such hearing scheduled for Monday. Also scheduled before Judge Hoffman in Norfolk is a request for a date for Norfolk to begin desegregation of its publiic schools.

p. A26

At Harrisonburg, Judge John Paul will hold an informal hearing on a request by Negro attorneys that he set a date for the beginning of desegregation in Charlottesville's public schools. Attorney General Albertis S. Harrison, jr., will attend the Harrisonburg meeting.

A possible complicating factor has arisen in the Newport News case since Judge Hoffman ruled early in 1957 that the city must desegregate its schools.

Ruling Has Been Upheld

Voters last fall approved the merger of Newport News and Warwick into a new city of Newport News. Attorneys have declined to speculate how—or whether—this will affect the desegregation ruling.

The United States Fourth Circuit Court of Appeals upheld Judge Hoffman's desegregation ruling and the United States Supreme Court late last fall declined to review it.

14d(1) 1958

VIRGINIA

Arlington PTA Council To Fight Closing Law

Star P. B1

School Group Seeks to Continue Classes With or Without Integration

The Arlington County Council of Parent-Teacher Associations last night unanimously opposed the closing of public schools called for by Virginia law if racial integration occurs.

The group voted to establish a special committee to study methods of keeping the schools open, or of reopening them "without delay if they are closed."

Washington D.C.

A resolution authorizing the council's executive committee to form such a committee calls for a preliminary report at next month's meeting and another in September.

Date 4-22-58

In a prepared statement given after the resolution was adopted, Council President William M. Lightsey said: "Not even the strongest advocate of segregated schools can reasonably contend that the highest advantages in education can be secured for Arlington children if the public schools are closed."

He said parents must "explore every possible legal means of keeping Arlington public schools open. Furthermore, they should actively support any course of action designed to meet that objective, regardless of whether the schools must be continued on a segregated or de-segregated basis."

Similar Action

He concluded: "In no sense am I arguing the merits of desegregation. I am arguing the merits of continued operation of a free public school system in Arlington County."

The action in Arlington was similar to that taken Saturday by the northern district of the Virginia Congress of Parents and Teachers meeting at a convention in Woodbridge in Prince William County.

The resolutions strike at the principal facet of Virginia's "massive resistance" laws designed to preserve segregated schools. Recent legislation provides that State funds automatically will be cut off from integrated schools—presumably closing them.

Council members also unanimously indorsed last month's school board action in which Arlington teachers were assured that their contracts will be honored even if the schools should be closed.

During its regular program, the council discussed the county's upcoming school and general bond referendums totaling nearly $8 million. Committees for precinct canvassing in favor of the bond issue were set up.

Franz Elected

County Manager A. T. Lundberg outlined the scope of the bond issues to the members. Of the total, $3.5 million is for construction of the county's third white high school at Yorktown, and almost $4.5 million is for general county improvements.

Elected as president of the council for next year was Richard L. Franz who is completing his second year as vice president. He is a budget analyst at the United States Patent Office and lives at 3050 South Woodrow street.

Other new officers are Bertrand M. Harding, vice president; Mrs. William A. Talley, recording secretary; Mrs. Lewis Plost, corresponding secretary; Larry D. Gilbertson, treasurer; Mrs. John Newdorp, historian, and George Walz, parliamentarian.

Virginia PTA Hits Plan to Close Schools

Support Is Urged For Candidates With Same View

By MARY LOU WERNER

Star Staff Writer

Star P. 14

The Northern District of the Virginia Congress of Parents and Teachers yesterday put itself on record against closing public schools, which existing State laws will shut down automatically whenever integration occurs.

A resolution adopted at a district convention at Woodbridge in Prince William County opposes "any action on the part of any elected official which will result in the closing of the public school system in this district" and calls on local PTAs to support only those political candidates who take a stand against closed schools.

Virginia Segregationists Map Private School Plan. Page A-17

Without mentioning "massive resistance" by name, the resolution strikes at the teeth of Virginia's anti-integration laws.

Washington D.C.

First Action by Group

Passage of the resolution by an overwhelming voice vote of the 105 delegates present marks the first time the northern district has spoken out on the touchy subject.

Date 4-20-58

One past attempt to act was tabled in the interest of promoting better harmony with the rest of the State.

Marine Capt. Harry E. Atkinson, chairman of the delegation from Garfield High School where the meeting was held, introduced the resolution.

Delegations from Arlington and Alexandria also had drafted anti-school closing resolutions, but withdrew them in favor of Capt. Atkinson's.

The only audible opposition came from about 15 members of the Fairfax County delegation. The division was about the same on an unsuccessful attempt by Charles R. Weeks of Floris Elementary School in Fairfax County to amend the resolution. His amendment would have qualified the District's opposition to closed schools by adding "unless they are closed because of integration."

The resolution states that it is "not an indorsement for or a condemnation of segregation or desegregation in the public school system."

Skirts Integration Issue

Capt. Atkinson told the meeting the resolution had been "very carefully drawn" to skirt the issue of integration versus segregation.

He implored the delegates not to vote for it unless they intended to work to carry out its objectives.

"We don't want you to give lip service, then do nothing about it," said the tall Marine officer who comes from Warwick, Va. "If our schools are closed next September we will have no one to blame but ourselves."

Ralph Altman of Walter Reed Elementary School in Arlington expressed concern that original phrasing of the resolution might be interpreted as opposition to any action complying with a court order. He called attention to the impending situation in Arlington, where a Federal court order has been issued diecting admission of seven Negroes to four white schools. The order has been suspended pending outcome of an appeal to the Supreme Court.

P. 20

An amendment was included to meet his objection.

Text of Resolution

The resolution as finally adopted states:

Star

"Resolved, that the Northern District of the Virginia Congress of Parents and Teachers is opposed to any action on the part of any elected official which will result in the closing of the public school system in this district. We urge that local PTAs determine the views on this subject of officials State and local, who are seeking election or re-election. After such determination, we recommend that local PTAs implement a vigorous campaign to request individual PTA members to support at the polls only those candidates who have declared themselves opposed to any action that would close the public schools, unless such action is by a court of effective jurisdiction, and who gives assurances that they will work actively if elected to prevent any curtailment of the present school system.

Date 4-20-58

"This resolution is not an indorsement for, or a condemnation of, segregation or desegregation in the public school system. Its only purpose is to insure that there is cultivated in the largest possible number of our future citizens an appreciation of the responsibilities and the benefits which accure to them because they are Americans and are free. This resolution is a plea to preserve our public school system, the only means capable of cultivating this appreciation."

A questioner wanted to know if it would be proper for the PTA to take a part in election campaigns.

Mrs. W. W. Kavanaugh, State PTA president, said "we can inform our members and urge them to vote their convictions."

"It is not our purpose to indorse one particular candidate," said Capt. Atkinson. "If four stand for open schools, then we support all four."

Cites Scope of Measure

Capt. Atkinson was asked after the meeting if his resolution was intended specifically to oppose "massive resistance." He replied that he would not use that term because it includes many things. But he acknowledged that it was intended to oppose such laws as the Minter bill which provides for the automatic closing of any integrated school, the Little Rock bills which close any schools patrolled by Federal troops, and the fun cut-off which withholds State school funds from any locality that operates mixed classes.

The convention also went on record favoring maximum local control in coping with the school desegregation problem, and called for legislation to let localities elect their own school boards.

Arlington County's right to elect school board members was revoked after the county announced a tentative integration program in 1956.

A pro-segregation resolution circulated throughout the State by the Staunton River PTA District was not brought up. Mrs. Malcolm Morrow of Annandale, outgoing president of the Northern Virginia District, said she had received a copy of it, and was prepared to have it considered if anyone requested that it be brought up. No one did. She said there is no requirement that one district consider a measure forwarded from another district.

The Northern District consists of Arlington, Prince William, Loudoun, Fauquier and Fairfax Counties and the cities of Alexandria and Falls Church.

Norfolk, Newport News Cases Up June 7

Admit Colored Pupils In Fall, Charlottesville Told

14d) Va

Special to Journal and Guide

CHARLOTTESVILLE, Va. —Virginia's segregated school empire is expected to crumble by the time school opens next fall.

Journal & Guide

Federal District Judge John Paul gave notice of that fact Monday when he reiterated a 1956 court order in which he ordered desegregation of Charlottesville schools.

P. 1 Sat. 5-17-58

JUDGE PAUL, in effect, said that the desegregation order will become effective at the commencement of school next September.

Meanwhile, at Norfolk, Federal Judge Walter Hoffman set Saturday, June 7 as the date for arguments for dates putting into effect orders to desegregate schools in Norfolk and Newport News.

Norfolk, Va.

JUDGE PAUL'S latest action came at a conference of NAACP attorneys and the Charlottesville and state officials.

At the conference, Judge Paul added that the court did not think it necessary to enter an additional order at this time.

* * *

THE CASE is one of the four which are directly eating at the heart of Virginia's "massive resistance" program. The other cases being in Arlington, Norfolk and Newport News.

Journal & Guide p 2

In August of 1956, Judge Paul ordered the Charlottesville schools desegregated by last September, but he later stayed the order pending a ruling by the Supreme Court on Virginia's Pupil Placement Act.

Sat, 5-17-58

THE SUPREME Court last fall threw out the pupil placement act by refusing to review an opinion of the U. S. Fourth Circuit Court of Appeals.

(14d)

Norfolk Va

In the Norfolk and Newport News cases, Judge Hoffman Monday set the date for arguments after formal motions from NAACP attorneys Victor J. Ashe and J. Hugo Madison of Norfolk and W. Hale Thompson and Phillip Walker of Newport News.

* * *

THE TWO CITIES have also previously been ordered to desegregate their public schools.

The other legal development expected this week was in the Arlington case. The Supreme Court may decide whether or not to grant the state's request for a review, although it is expected that the court will refuse.

Virginia's School Plan Nearing Test

News & Courier p 10

Charleston S.C.

RICHMOND, Va. (AP)—Virginia's adamant policy of resistance to racial integration in the public schools appeared headed Monday for a September showdown test with federal court desegregation orders.

One of the few remaining legal barriers to the integration—and state closing — of Charlottesville schools was cleared away by the announcement that a district court order calling for desegregation is still in effect. The order will become operative at the start of the September term.

Tues. 5-13-58

The announcement came after attorneys for both sides in the Charlottesville case conferred in Harrisonburg with Dist. Judge John Paul, the man who issued the integration order.

Across the state, in Tidewater Virginia, attorneys for the National Assn. for the Advancement of Colored People asked Dist. Judge Walter E. Hoffman to make his old desegregation orders affecting Newport News and Norfolk public schools, also stayed by appeal, operative with the September term.

P. 9A

Hoffman hinted strongly that he would comply with the request of NAACP attorneys. He set June 7 as the date to hear motions.

Virginia has passed a number of laws intended to avert school integration. It is prepared to shut down public schools rather than see them integrated.

News & Courier

The state made no effort to dicker for later dates for desegregation. No date is suitable to Virginia.

Tues. 5-13-58

Whether there are any appeals left to Virginia and the three cities involved in Monday's developments is not certain. The feeling is that even if there are, neither Paul nor Hoffman will stay the effect of his desegregation orders while another round of appeals is taken.

Other desegregation cases have reached slightly less advanced stages in two other Virginia localities—Prince Edward County and Arlington County.

Dr. Alonza G. Moron:

Hampton's President Advocates Immediate Virginia Integration

Journal

HAMPTON, Va. — Dr. Alonzo G. Moron, President of Hampton Institute, advocated immediate integration of all Virginia schools and equal educational opoprtunities for all students in a speech recently at the second annual Hampton Institute conference of public school personnel held on the college campus.

P. 5

In citing some of the progress made in education, Dr. Moron underlined the retarding effect of discrimination on the basis of color. "We have a constitution which guarantees equal rights to all citizens of the United States and equal treatment before law," he said, "but many school systems deprive a large portion of our people of the chance to get a good education."

Sat 5-3-58

Wilmington N.C

If we are going to make real improvement, even within a segregated situation, we must realize there are some things we can and must do which cannot be postponed until Mr. Stanley, Governor Almond or Senator Byrd dies," he said.

Replying to the question often asked him as to why the NAACP is pushing so hard, Dr. Moron said, "the only excuse for any kind of action the NAACP takes is that there now exists a situation which deprives thousands of children of their rightful opportunity. NAACP's concern is the abolition of this kind of discrimination against the nation's youth."

He told the more than 300 educators assembled for the conference that "one of the tragic results of segregation is that it warps the mind and souls of the teachers and we must avoid the real danger of transmitting the disgust, hatred and frustration on to our students."

In discussing the quality of our education and the extent which it is moving forward, Dr. Moron said our education has been compared to that of the Russians. "Russia can mobilize every ounce of its resources to accomplish its objectives without regard to the wishes or the needs of the people. Do we want to relinquish the kind of freedom and concern that differentiates ours with the soviet system," he asked.

14d(1) 1958 VIRGINIA

Prince Edward Case Back In High Court

Afro-American Baltimore, Md.

Sat. 1-11-58

P. 3

Va.

By LOUIS LAUTIER

WASHINGTON (NNPA) — The Prince Edward County (Va.) school segregation case —one of the five original cases in which racial segregation in public schools was ruled unconstitutional — is back in the Supreme Court.

This time the Prince Edward County School Board and Thomas J. McIlwaine, county superintendent of schools, are asking the Supreme Court to reverse the ruling of the Fourth U.S. Circuit Court of Appeals that the U.S. District Court at Richmond must fix a definite date for the beginning of desegregation in the county's public schools.

The Prince Edward County Board of Supervisors has announced its intention to cut off operation ofthe schools if colored and white children are mixed in the same classrooms.

MORE THAN 4,000 white residents of the county have signed a petition supporting the position of the Board of Supervisors. The total population of the county is about 15,000.

If the schools are closed, plans have been made for private schools for white children, but no provision has been made for colored children.

In deciding that the District Court must fix a definite date for the beginning of desegregation in Prince Edward County public schools, the Court of Appeals said:

"The fact that the schools might be closed if the order were enforced is no reason for not enforcing it."

* * *

THE SCHOOL BOARD contends that in the light of the broad range of judicial discretion granted by the Supreme Court in its May 31, 1955, school segregation decision, the appeals court was not justified in reversing Judge Sterling Hutcheson of the Federal District Court.

Judge Hutcheson refused to order immediate integration in Prince Edward County schools.

Attorneys for the school board argue that Judge Hutcheson's order was proper and that the appeals court exceeded its perogative in setting it aside.

After the Supreme Court handed down its ruling of May 31, 1955, this case was remanded to the District Court for further proceedings.

On remand, on July 18, 1955, the special three - judge District Court entered a decree vacating its original decree and declaring invalid Virginia constitution and statutory provisions requiring segregation in public schools.

* * *

IT ENJOINED THE Prince Edward School Board from refusing to admit any qualified child to any school under its supervision on account of race or color after necessary arrangements were made for the admission of colored children.

The court found that it would not be practicable to require that desegregation begin before the beginning of the September 1955 school term.

The case rested there for three months. Colored children and their parents then on April 23, 1956 filed a motion for further relief, requesting desegregation at the opening of the schools in the fall of 1956.

The three-judge court met and dissolved itself because the constitutional question involved had been decided.

* * *

THE PRINCE EDWARD School Board filed a motion on Oct. 17, 1956, to dismiss the case on the ground that the colored pupils had not exhausted their administrative remedies by complying with the pupil placement act passed at the special session of the Virginia General Assembly in 1956.

After a hearing, Judge Hutcheson declined to fix a time limit for compliance with the Supreme Court decision. The Court of Appeals held this was error.

It remanded the case to the District Court with instructions to require the school board to make a prompt and reasonable start toward integration.

NAACP Sees 'No Schools' In Virginia

Daily News p. 1

Tue 1-28-58

Jackson, Miss.

PENN YAN, N. Y. (UP)—The state of Virginia's plans to close all public schools if the courts order integration will mean "no education" for either whites or Negroes, according to Thurgood Marshall, chief legal counsel for the National Assn. for the Advancement of Colored People.

Marshall, addressing Keuka College students Monday, said Virginia's plans "will do no good for either side."

"But at least," he said, "for once in Virginia, the Negroes and whites will have the same treatment—no education for either."

Referring to the Little Rock, Ark., high school, Marshall said the nine Negro students "still) attending the institution "can't take much more of the passive harassment" that their fellow - students are giving them. He said they deserve a lot of credit for their stamina in continuing to attend classes.

Marshall said the ultimate goal is when a child born of the blackest, most illiterate, poorest sharecropper of the South draws his first breath, his parents will know that he has the same rights as the son of Nelson Rockefeller."

Textbook Probe Dropped From Thomson Racial Bill

Post + Times Herald, P C 19

By Robert E. Baker

Staff Reporter

Washington

D.C.

RICHMOND, Feb. 5—Del. Joseph L. Williams Jr. said today that all references to school and textbook investigations have been eliminated from the Thomson racial investigation bill.

Williams headed a four-man subcommittee of the House Courts of Justice Committee which was appointed to work out a compromise of bills introduced by Del. James M. Thomson of Alexandria and Del. John B. Boatwright to continue their racial investigation committees.

Both men had proposed investigations aimed at curtailing activities of the National Association for the Advancement of Colored People, but Thomson asked additional authority to investigate schools, curricula and textbooks.

Williams, chairman of the full House Courts of Justice Committee, said the decision to cut out the school probe was unanimous. Thomson, a member of the subcommittee, said he himself made the move to eliminate the provision.

The compromise bill authorizing a single committee is now being drafted and will be presented to the full committee on Friday, where its approval is expected.

The compromise kept some aspects of the Thomson proposal, including expansion to a nine-member committee and provision for investigating the income tax status of groups involved in racial activity.

It also provides for an investigation of the impact of "integration or the threat of integration on the general welfare of the commonwealth."

When asked if he thought this language broad enough to permit an investigation of textbooks and schools, Thomson had no comment.

He also declined to say whether he planned any further action at this session of the General Assembly to get authorization for a school and textbook probe.

Attorneys Say Law Invalid

Journal + Guide P. 3

Sat 2-8-58

Action Taken On Behalf Of Girl In Petersburg

Norfolk Va.

RICHMOND — The first civil suit attacking segregated schools in Petersburg was filed in Federal District Court here last week. It seeks an injunction against Virginia's Pupil Placement Act.

The suit was filed on behalf of Ann Patrice Walker by her parents, E. Tee and Mrs. Theresa Walker. The defendants listed are Andrew A. Farley, Beverly Randolph Jr. and Hugh V. White, members of Virginia's Pupil Placement Board; the Petersburg School Board, and John D. Meade, Petersburg school superintendent.

• • •

THE SUIT asks a temporary restraining order, an interlocutory injunction and a permanent injunction "to restrain and enjoin" the Pupil Placement Act as a violation of the Federal Constitution.

The plaintiffs say the girl was denied the "right to attend public schools because of the refusal of her parents...to sign an application authorizing the board to assign" her.

• • •

ACCORDING to the suit, the Placement Act "requires (her) to attend racially segregated schools... deprives the plaintiff of her liberty without due process of law and the equal protection of the laws" guaranteed by the 14th amendment.

The suit seeks "common relief" for all colored children in Virginia public schools. It says the girl applied for admission to a Petersburg public school of her own choice for the 1958 school session, and was denied because her application was not signed by her parents.

• • •

"AS A consequence thereof," the suit says, "infant plaintiff is being denied the right to attend a public school or threatened with immediate cessation of her right to attend a public school, unless this court shall afford her some immediate relief by means of a restraining order, temporary injunction, and a permanent injunction."

The suit was filed by Norfolk attorney J. Hugo Madison and James A. Overton of Portsmouth.

Va. Senate Passes Measure To Close Troop-Patrolled Schools

World P.5 B'ham Ala. Sat. 2-8-57

RICHMOND, Va.—(NNPA)—The bill pushed by Gov. J. Lindsay Almond to close public schools whenever they are patrolled by Federal troops passed the Senate last week.

On two Senators refrained from voting — Stuart Carter of Botecourt and Edward Haddock of Richmond.

1410 Va

All three of the Senators from Northern Virginia, the liberal part of the state, were among those voting for the bill.

The bill provides for the automatic closing of any school whenever Federal troops patrol in the vicinity of it. The Governor may reopen the school when he finds that the cause of the closing has been removed. The bill now awaits House action.

Senator Haddock said he did not vote for the bill because he did not think it was needed. He pointed out that legislation passed by the last Virginia General Assembly provides for the closing of schools by the Governor when integration takes place.

He said he was glad the Governor had that authority "because I do not want there to be any conduct which cannot be controlled about our schools."

Senator Haddock said legislation like the Little Rock bill "only tends to widen the breech" between white and colored people and "serves no constructive purpose."

Senator Carter said he did not favor the use of Federal troops, but he regarded the Little Rock bill as another step in "massive resistance" which he feels will invite trouble in Virginia.

Court Order Directs County To Integrate

World Atlanta, Ga. P 6

Sat. 2-15-58

RICHMOND, Va. — The Fourth Circuit Court of Appeals Wednesday upheld a federal court order directing Arlington County, Va., to admit seven Negro students to white schools.

The three-member appeals court said it felt the order of District Judge Albert V. Bryan held that integration of the Arlington schools "was clearly proper for reasons adequately stated" by the lower court judge.

The 300 word opinion said "nothing need be added to what was there said, and it pointed out that Bryan had found the Arlington school board, the defendants in the case, had "acted in good faith" in relying on the state pupil placement law which asigns students to schools on a segregated basis.

Some leaders here have declared they will fight to the end to avoid integrated classes. Virginia has several laws aimed at curbing integration.

One would close any schools integrated by federal troops. Another, under attack in the courts, would stop state financial aid to any school which is integrated.

Boothe Backs Local Pupil Assignment Plan

Post + Times Herald P B6

By Robert E. Baker
Staff Reporter

Washington D.C.

RICHMOND, Feb. 4—State Senators Armistead L. Boothe of Alexandria and Ted Dalton of Radford warned Virginians today that the present struggle for progress and existence "cannot be met by Virginia's present program of cutting funds and closing schools."

1410 Va

They issued a joint statement after introducing for the third time a program of locally administered pupil assignments to deal with the school desegrtgation issue.

Two of their bills would repeal the anti-integration laws enacted by the 1956 special General Assembly session which would close down schools. A third bill would provide local school boards with assignment powers and strict standards designed to minimize the effect of integration. No child would be forced to attend an integrated school against his parents' wishes.

Wed. 2-5-58

Boothe and Dalton unsuccessfully sponsored similar measures in the regular session of 1956 and the subsequent special session.

Their proposals would be effective on Aug. 1 to provide time for study of court opinions in pending desegregation cases, they said, and to enable school boards to put the plan into effect before the September school term.

Their assignment plan had a new twist this time, providing four steps of appeal; which, they said, would prevent class actions opening wide the gates to wholesale integration.

A dissatisfied applicant would file with school board, appeal to local governing body, appeal to State Board of Education and finally to the Governor.

Observers see littleliklihood of success for their proposal.

Walker girl still is not in school

Afro American

P. 5

1410 Va

Baltimore

PETERSBURG—Ann Patrice Walker did ~~not~~ attend school Monday. Her parents, the Rev. Mr. and Mrs. Wyatt Tee Walker were still awaiting Federal Judge Sterling Hutcheson's decision on whether or not they had to sign the pupil placement form required by State law.

A hearing on their suit against the Pupil Placement Board and the Petersburg School System was held last Friday in Federal District Court.

Sat. 2-22-58

After hearing arguments by both parties, however, Judge Hutcheson said that his decision would be relayed to the opposing lawyers "within a few days."

On Tuesday, the District clerk's office reported that no decision had come from the judge yet.

* * *

THE CASE began when the Rev. Mr. Walker attempted to register his six-year-old daugh- in Giles Cooke (colored) Elementary School. Because of his refusal to sign the placement form, the child was denied admission.

J. Hugo Madison of Norfolk, and James A. Overton of Portsmouth, prepared the brief asking Judge Hutcheson to issue a temporary injunction restraining the Placement Board from denying the child admission to the school.

They also asked the convening of a three-judge court at a later date to issue a temporary restraining order and declare the act unconstitutional.

They cited in the brief that the child's parents were subject to prosecution under the Compulsory Attendance Act if the child was not in school.

* * *

A. B. SCOTT, representing the Placement Board, cited the State law to the effect that the compulsory law referred to children between the ages of seven and 16.

Frequent references were made during the hearing to the suit filed in Richmond on behalf of 101 children who were not admitted or threatened with expulsion because of the refusal of their parents to sign.

In that case, Judge Hutcheson issued the asked-for injunction when the State refused to let the children go to school for a few days until the judge had an opportunity to study the case.

A hearing on the Richmond suit (styled the Calloway case) has not yet been assigned for a three-judge court.

Other communities where similar injunctions are in effect are Norfolk, Newport News, Charlottesville, Arlington County, Suffolk and Nansemond

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Negro Pupils Can Attend School In Arlington, Va.

Call

P. 20

RICHMOND, VA. — (INS) — A Richmond Federal court has given seven Negro students a go-ahead to enroll in previously all-white public schools at Arlington.

Kansas City

The Fourth Circuit court of Appeals Wednesday upheld a previous order directing the county school board to admit the Negroes. The three-man panel, declared:

"The school integration is deemed clearly proper for reasons adequately stated by the lower court. Nothing needs to be added to what was said there."

Fri. 2-21-58

In the previous decision, Federal Judge Albert V. Bryan ordered that the school permit integration on the grounds the Negroes had the constitutional right to chose the school they wished to attend.

14d(1) 1958

VIRGINIA

VIRGINIA LAW UPHELD

Advertiser p. 4-B
Montgomery Ala.
Sat 2-15-58

Judge Denies Injunction Against Pupil Placement

RICHMOND, Va., Feb. 14 (AP)—Federal District Judge Sterling Hutcheson today denied a request for a temporary injuction to set aside enforcement of Virginia's Pupil Placement Act in Petersburg, Va.

A civil suit seeking the injunction was filed in behalf of Ann Patrice Walker, 6-year-old Negro. The suit charged the child was unconstitutionally prevented from entering a Petersburg elementary school because her parents had refused to sign a pupil placement form.

The child's parents, the Rev. and Mrs. W. Tee Walker, had said singing of the form would have tended to recognize its constitutionality. The Petersburg School Board was named in the suit along with the state Pupil Placement Board and the Petersburg school superintendent.

The child was subsequently denied admission to Cooke elementary school in her city.

Hutcheson said the plaintiff "is under no requirement to enroll as a pupil, nor are her parents subject to any penalty for their failure to enroll her.

"That privilege is dependent upon two conditions. The first is that she reach the age of six years during the present school session. This condition has been met.

"The second condition involves the election of a course of conduct open to her parents (signing the form). It is for them (the Walkers) to determine whether they defer entering the child in school until she reaches the age of seven years, or they sign an application, such as described, without waiving or compromising any rights, and thus enter the child in school at this time."

Under Virginia's compulsory school attendance law, a child must be in school by the age of seven.

Hutcheson said the Walkers apparently have decided to defer entering the child in school.

The suit attacked for the first time segregated schools in Petersburg. It is the ninth suit aimed at killing the state's placement act, an anti-integration measure passed by a special session of the Legislature in 1956.

High Court Balks Virginia Racial Review

Advertiser p. 1
Montgomery Ala.
Tues 3-4-58

WASHINGTON, March 3 (AP)—The Supreme Court dealt another setback today to Virginia's program of "massive resistance" to any racial segregation in its public schools.

In the most routine way possible, the high court refused in a one-line order to review an anti-racial discrimination decision of the U.S. Fourth Circuit Court of Appeals whch Virginia said would result in closing all public schools in Prince Edward County.

That decision directed U.S. Dist. Judge Sterling Hutcheson at Richmond to fix a deadline for Prince Edward school officials — in southern Virginia — to start carrying out the Supreme Court's 1954 decision outlawing compulsory segregation in public schools.

Virginia, asking the Supreme Court to overturn the appellate court, said:

"The federal courts assume a terrible responsibility when they order the closing of public schools. This is what the circuit court has done and what this court will do if the order appealed from remains in effect."

"MASSIVE RESISTANCE"

Virginia has enacted a package of anti-integration laws which the state's leaders call "massive resistance." The laws, among other things, call for cutting off state aid and closing down any public school which is integrated pursuant to a court order.

In other major actions today, the court:

1. Put off until the next term of court in the fall ruling on the dispute between the federal government and the five Gulf states on the states' offshore boundaries. Involved in the litigation is the ownership of oil rich submerged lands.

2. Ruled 8-1 that the Army must base a soldier's discharge solely upon his military record, and not take into account his preinduction activities.

This decision means that two New Yorkers who received less-than-honorable discharges on the ground of procommunist activities prior to induction now will get honorable discharges. They are John Henry Harmon III, New York law student, and Howard D. Abramowitz, a Brooklyn psychologist whose service as soldiers was described as "excellent."

Action to avoid the less-than-honorable discharges must be taken in U.S. District Court, where the men had lost out before.

In a brief unsigned opinion, the court rejected the contention of th Justice Department that the federal courts had no jurisdiction over the type of discharge given by the armed forces.

3. Upheld 7-2 the right of a state to levy taxes on a user of tax-exempt property, including plants owned by the U.S. government, when used by a private party for business purposes.

4. Threw out 8-1 an appeal by 23 Hollywood writers and actors seeking to sue for damages for being blacklisted by the film industry after they refused to testify before the House Committee on Un-American Activities.

Virginia Gives Placement Act A Transfusion

Changes Proposed to Put State Closer to Law of North Carolina

By a Staff Reporter

Post D.1
Sat 2-15-58
Washington, D.C.

RICHMOND, Feb. 14 — The Almond administration introduced its bill today to shore up Virginia's sagging Pupil Placement Act.

It patterns Virginia's act more along the lines of the North Carolina Pupil Assignment Law which, unlike the Old Dominion's cumbersome and complicated plan, has withstood Federal Court tests in school desegregation cases so far.

The bill was sponsored in the House of Delegates by Speaker E. Blackburn Moore and 82 other members.

Sen. Armistead L. Boothe of Alexandria, who three times has unsuccessfully co-sponsored with Sen. Ted Dalton of Radford a Pupil Placement Act like North Carolina's, called the new proposal "constructive."

"The patrons are clearly backing into the type of assignment plan so long advocated by Dalton and myself," he said.

"But no matter how much the bill itself is improved, its effect is nullified and vitiated as long as the school closing laws and fund-cut-off laws are in effect," he warned.

Gov. J. Lindsay Almond, who requested the changes, has said he advocates no change in the provision to the appropriations act which automatically cuts off state funds from integrated schools.

The first attack on that provision came today in the House Appropriations Committee.

Del. John C. Webb of Fairfax tried to eliminate the cut-off provision from the appropriations bill but was defeated. 10-3.

Questions Are When, Where, How

Real Problems Face Va. Teacher: Lawmen Would Let Them Whip Students

Journal + Guide p. 10 Norfolk Va

Sat. 3-8-58

By A STAFF WRITER

RICHMOND — Delegates to Virginia's General Assembly who go along with most anything — like giving blank sheets of paper to voters, making women legislators cry, and setting up groups to bull-doze legally constituted organizations, were in a new vein last week.

They now go along with an idea which would allow teachers to spank—that means "whip"—unruly students.

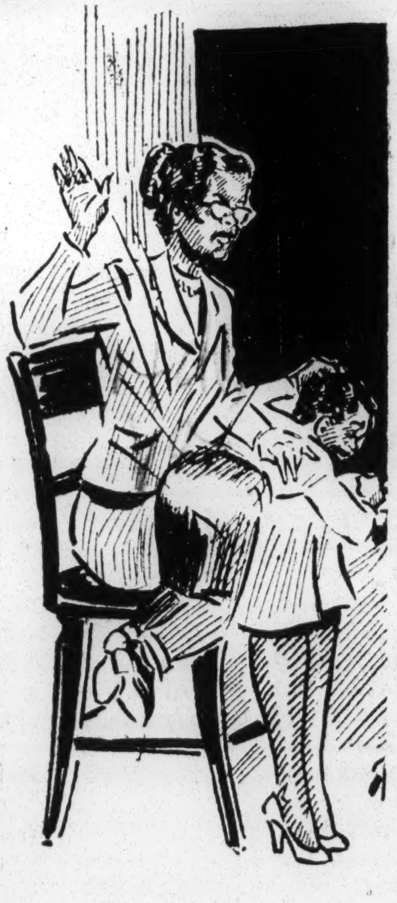
• • •

THE MEMBERS of the House, all tried and true and white, say that the Bible gives sanction to their contention that a teacher should grab up the first thing in sight and whale the daylights out of any student who chews his gum too loud or sticks Mary's plaits in the ink-well.

Snatching up a Bible and turning fast to the Book of Proverbs, a House spokesman with all the force and vigor of a country elder declared "Foolishness is bound up in the heart of a child, but the rod of correction shall drive it from him."

• • •

THAT'S WHAT is causing consternation to the state's teachers. The Bible says "rod" and the House of Delegates says to spank the unruly child. The question arises whether the teacher should take a rod and whip the child who is acting like a regular little stinker in the classroom or whether he or she (the teacher) should acquire other tools with which to mete out punishment.



Spare The Rod And Spoil The Child . . .

A variety of implements come to mind. There's the tried and true razor strop, the cat-o-nine-tails (which usually only has three) and the sturdy oak switch. While these implements might suffice for handing out punishment to the pupils in the grammar and elementary grades, teachers might find themselves obliged to use bed-slats, 2 by 4's or Louisville slugger baseball bats on the students in the upper grades.

THE MEASURE which won House approval failed to indicate just which implements should be used, but knowing Virginia Legislators, it is generally assumed that they''ll get around to that point. The House failed, also, to say when or where the students should be whipped. This, too, has caused many a headache among the state's teachers.

Should the teacher corner the unruly student at his desk? Should she take him into the cloakroom? Should she belt him in the hall? All of these questions arise. Then, too, the queries are should she wait until after school hours to go up side the student's head or should she knock him to his knees while his fellow-pupils look on. All those questions need answers.

• • •

BUT THE MAJOR question being tossed around by the teachers is who should whip whom. One teacher, an aging lady who stands 5 feet. 2 inches tall, and weighs a neat 99 pounds soaking wet, posed the question "should I tackle Jim Jackson, who is 5 feet, 11 inches tall and weighs 190 pounds?

This question, along with the others, will be passed on to state legislators by the various educational groups.

Protests Va. School Bill

Journal + Guide

Norfolk Va

Norfolk's Sen. Edward L. Breeden is one of the few Virginia Assemblymen who refused to go along with a measure passed by the body which gives the governor power to hold on to any school closed because it integrates its student body. Sen. Breeden was joined by eight other Senators in refusing to surrender the last vestige of home rule of schools.

Sat 3-8-58

The measure which was made into law gives the governor power to control all school activity. No power would be vested in the local boards.

p. 1

NEW BIAS TEST NEAR FOR VIRGINIA COUNTY

Special to The New York Times.

RICHMOND, Va., March 4—Attorneys for Negro pupils are expected to seek a September deadline for a start on desegregation in Prince Edward, Virginia's test county in school racial litigation.

Times p. 23

Tues 3-5-58

The way for such a request was opened yesterday when the United States Supreme Court refused to review a lower court decision that ordered a "prompt and reasonable start" toward ending of school segregation in the county but did not set a deadline.

N.Y. N.Y.

Closing of the county's public schools is in prospect. The county is making plans to put white pupils in private schools to be held in churches, warehouses and private homes.

What Gives in Prince Edward!

The Supreme Court has ordered a date to be set for immediate integration of public schools in Prince Edward County, Virginia, where one of the original three cases was filed.

News p. 10

Meanwhile the county is not only subject to state laws in massive resistance to this situation but has its own long and carefully prepared county-wide plan for private schools—with the money more or less in the bank.

Mon. 3-10-58

There will be both massive and passive resistance.

Birmingham Ala.

Nowhere is there more passion and unity against mass mixing of the two races in the public schools. The outcome is impossible to guess. Certainly the great Supreme Court of the United States is not going to back down or sit by and be conspicuously disobeyed.

You are reminded, though, that all through Southern history with this tragic race problem the South has found ways and means to avoid what it deemed intolerable. Face-saving has to be considered on both sides, but it is still possible to believe a solution will be found which saves Prince Edward and the South from the now proved impracticability of massively mixed lower schools.

14d(1) 1958

VIRGINIA

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VIRGINIA LAW UPHELD

Judge Denies Injunction Against Pupil Placement

Advertiser P 46

Sat 2-15-58

Montgomery Alabama

RICHMOND, Va., Feb. 14 (AP)—Federal District Judge Sterling Hutcheson today denied a request for a temporary injuction to set aside enforcement of Virginia's Pupil Placement Act in Petersburg, Va.

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The child's parents, the Rev. and Mrs. W. Tee Walker, had said signing of the form would have tended to recognize its constitutionality. The Petersburg School Board was named in the suit along with the state Pupil Placement Board and the Petersburg school superintendent.

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Hutcheson said the Walkers apparently have decided to defer entering the child in school.

The suit attacked for the first time segregated schools in Petersburg. It is the ninth suit aimed at killing the state's placement act, an anti-integration measure passed by a special session of the Legislature in 1956.

Arlington Pupil Ruling Upheld

Star P. A1

Washington DC

Negroes Backed In Admission Plea

By MARY LOU WERNER
Star Staff Writer

Wed 2-12-58

RICHMOND, Feb. 12.—A Federal Court order directing admission of seven Negro students to four white Arlington County schools was upheld today.

The Fourth Circuit Court of Appeals handed down a decision sustaining the integration order issued last September by Federal Judge Albert V. Bryan.

14d(1)

Judge Bryan's order had been suspended pending outcome of the appeal. The State now has 30 days in which to ask the appellate court to stay its decision, which would further delay enforcement of the decree pending an appeal to the Supreme Court.

The State has 90 days in which to ask the Supreme Court to review the case.

Only Case in Virginia

The Arlington case is the only one in Virginia involving the specific applications of Negro students to attend white schools. It also is the only case involving a practical test of the State's pupil placement law, which is part of Virginia's anti-integration machinery.

The seven Negroes who applied to attend white Arlington schools when fall classes began contended they should not be compelled to use the placement law. Only one of them even had filed an application.

Judge Bryan agreed, and ordered their admission to the schools where they applied.

He noted that he previously had granted an injunction forbidding the Arlington School Board from denying anyone admission to a school because of race, and said submission to the pupil placement law "amounts almost to assent to a racially-segregated school."

Sees Threat on Funds

The placement board, he pointed out, actually deliberates on a racial question under threat of loss of State money if any integration occurs.

He was referring to the State's fund cut-off law, which withholds State school funds from any locality that attempts to operate mixed classes. Another State law provides for automatic closing of any school where integration occurs.

Today's decision sets the pattern for other Virginia localities already under injunctions forbidding them from denying anyone admission to a school because of race.

So far, none of the other localities has received any applications from Negroes to enter particular white schools.

But when they do receive such applications, they won't be able to make the Negroes use the placement law, under today's ruling. The other localities where desegregation injunctions are pending are Charlottesville, Norfolk, Newport News and Prince Edward County. Only Prince Edward County has yet to receive a time limit for desegregation, and the appeals court has directed that one be set.

P A-3

Placement Law Hit

Star

A previous ruling by the appeals court, which the Supreme Court refused to review, had pretty well doomed the existing placement law as a defense against integration. In the Norfolk and Newport News cases, the appellate court upheld a ruling by Judge Walter Hoffman that the placement law was worthless as a barrier to integration.

Wed 2-12-58

Those two cases, however, did not involve specific applications. It remained for the Arlington case to provide a practical test of the placement law.

In arguing for reversal of Judge Bryan's order, State attorneys told the appellate court January 9 that the placement law had not been ruled unconstitutional, therefore the Negro students should be required to use it.

If the placement law is invalid, they told the court, Judge Bryan should have given the local school board a chance to pass on the Negroes applications before taking it upon himself to make the assignments.

They also argued that Judge Bryan had not given them ample time to prepare for last September's hearing, which resulted in the integration order.

Attorneys for the National Association for the Advancement of Colored People urged the appellate court to sustain Judge Bryan, calling the placement law a "farce."

Arlington Segregation Case Upheld

By Jean White
Staff Reporter

Post P. 1

Thurs 2-13-58

Washington DC

The Fourth Circuit Court of Appeals yesterday upheld Judge Albert V. Bryan's order directing Arlington to admit seven Negro pupils to white schools.

In a terse, 300-word opinion, the three-judge appellate panel said Bryan's integration ruling "was clearly proper for reasons adequately stated in the opinion of the District judge."

The order means that Arlington—and Virginia — now face a probable September deadline on school desegregation.

This is the timetable, as attorneys close to the case see it:

- State and county officials will ask the Appellate Court for a stay within 30 days to take an appeal to the Supreme Court.
- The Court, as in the past, probably will grant the stay.
- The case thus would reach the Supreme Court before the summer recess, and Virginia will have reached the end of the appeals road before the September school term.
- If there is a September showdown, state legislators probably will be called into special session in an attempt to shore up the state's anti-integration legislation by another tack.

Times Herald

P. A-2

Thurs 2-13-58

Washington DC

James H. Simmonds, one of the attorneys for the Arlington School Board, indicated yesterday an appeal will be filed. State Attorney General A. S. Harrison Jr. said the appellate court ruling came as "no surprise." He conferred with Gov. J. Lindsay Almond Jr., but refused to say definitely that the State will ask for a stay to go the the Supreme Court.

Arlington School Board Chairman James G. Stockard said the board members will confer with their attorneys in "a day or two" on the next step. The Board, he pointed out, has agreed to follow through on appeals in the past.

In its opinion, the appeals court did not deal directly with the Pupil Placement Act, the first line of defense in Virginia's "massive resistance."

The State has asked for a clear-cut decision to decide the constitutionality of the act, which shifted pupil assignment powers from local officials to a three-man state board.

In his Sept. 14 opinion, Judge Bryan said that "submission to the act amounts almost to assent to a racially segregated school." The placement act procedure, he said, was "too sluggish and prolix" and ordered Arlington to admit the seven Negroes in the case to all-white schools by Sept. 23. He stayed his order for appeal to the higher court.

". . . Nothing need be added to what was there said," the appellate opinion noted, referring to the Bryan's ruling.

The judges said Judge Byran has taken the "milder course" in ordering admission of the seven Negro pupils rather than holding school authorities in contempt of an earlier desegregation decree.

Bryan, the appellate panel noted, had found the Arlington school officials had acted in "good faith" in relying on the State Pupil Placement Act.

Arlington has become the crucial test in Virginia anti-integration fight. Of the five desegregation cases in the state, it is the only one in which specific Negro pupils have been ordered into specific white schools.

Desegregation Plan Approved by Court

RICHMOND, Va., Feb. 12 (AP) The 4th Circuit Court of Appeals today upheld a lower court judge's action in approving a "stair-step" desegregation plan for Harford County, Md., schools.

The plan, as approved by District Judge C. J. Thomsen, was amended to provide that qualified Negro students who passed special examinations could be admitted to high school grades pending the end of segregation in those grades.

Almond Hints New School Bill

Star P. A1

Washington DC

Would Act to Shut Integration Opener

RICHMOND, Va., Feb. 18 (AP).—Gov. Almond said last night it was "highly probable" that he would back the introduction of another anti-integration bill in the General Assembly soon.

Gov. Almond would not disclose what the new bill might

Tues 2-18-58

But it was understood from other sources that the bill would close an existing loophole in the law which would, under certain circumstances, permit a locality to operate integrated schools after State funds had been cut off.

Gov. Almond, interviewed over radio station WRNL, said:

"It is highly probable that another bill will go down in another few days."

How It Works Now

At present, a local school board or governing body may ask the Governor to withdraw from the operation of a local school where integration has occurred. After the Governor has withdrawn, the locality, which would lose State funds, would then be free to operate on its own funds with integration.

Under the change being considered, the request for the Governor to withdraw would have to come from both the school board and governing body, and withdrawal would be optional with the Governor, not mandatory as under present law.

Such a change apparently would give the Governor a much tighter rein over operation of a school system involved in a segregation suit or a system which sought voluntarily to integrate.

The top action in the General Assembly yesterday came in the Senate where the blank paper registration bill passed 21 to 14 after a two-hour debate, the longest and hottest of the session. It now goes to the House.

The bill would require voters to register on blank paper without aid and without reference to anything written while filling out the application.

Gray Leads Fight

Senator Garland Gray, chief patron on the bill, led off the fight in its favor. He contested the views of opponents that the bill was restrictive, negative legislation almost impossible of honest administration.

The bill was amended in committee to permit the registrar to point out the provisions of the constitution. Senator Edward E. Haddock of Richmond said this was not mandatory on registrars and would allow them to play favorites.

The vote on the bill: For—Ames, Baldwin, Blanton, Button, Byrd, Curry Carter, Fitzpatrick, Godwin, Gray, Hagood, Hutcheson, Long, March, McCue, Minter, Moses, Perrow, Phillips, Stone, Temple and Wyatt Against—L. C. Bird, Booth Breeden, S. B. Carter, Dalt Fenwick, Haddock, Hallett, andreth, Newton, Spong, Sydnor, Willey and Wolfe. Not voting—Aldhizer, D. W. Bird, Donovan, Pitts and Stuart.

NAACP Curbs Asked

A package of bills was introduced by Delegate John B. Boatwright of Buckingham County which are aimed at curbing the National Association for the Advancement of Colored People. They would have the State corporation commission require of any organization charged with unlawful practive of law a complete list of membership and financial records.

INTEGRATION ORDER IN VIRGINIA UPHELD

Special to The New York Times.

RICHMOND, Va., Feb. 12—A Federal court order directing that seven Negro pupils be admitted to white schools in Arlington County, near Washington, was upheld today by the Fourth Circuit Court of Appeals.

Times P. 33

The court said that the September order of Federal Judge Albert V. Bryan "was clearly proper." It said the ruling represented the "milder course" in ordering the pupils admitted rather than holding the local school board in contempt of an earlier desegregation decree in the case.

Thurs 2-13-58

The case is the only one in Virginia involving specific applications of Negro students to attend white schools. Today's opinion implied that Negroes could not be forced to use Virginia's pupil placement law and its required application forms when seeking to change schools.

New York N.Y.

Application under that law had been made for only one of the pupils involved in the case.

The state has ninety days to ask the court to review the case.

Virginia Bill Tightens Integration Resistance

Star P. A12 Wed 2-19-58

By a Star Staff Writer

RICHMOND, Feb. 19.—A bill to close a loophole in Virginia's "massive resistance" laws to prevent racial integration in the classrooms was submitted to the General Assembly yesterday by Gov. Almond.

Washington DC

Under present law a locality could operate integrated schools, if ordered to do so by a Federal court, with its own funds even though State money would be withheld automatically.

Under identical measures introduced in the House and Senate, the Governor could keep individual schools closed.

"I deem the enactment of this measure of vital importance to the preservation and continued operation of our public free school system everywhere in Virginia so as to afford, through joint State and local co-operation, educational facilities and opportunities to all our children," Gov. Almond said in a special message to the Legislature.

At present, under the anti-integration program of former Gov. Stanley, a school is automatically closed if integration occurs there.

Can Regain Control

The Governor has the say-so as to whether it shall be reopened and under what conditions. However, the local governing body or school board may regain control of the school by asking the Governor to vacate his authority.

Then the locality could operate the school on an integrated basis without State assistance.

Yesterday's legislation removes the mandatory provision that the Governor return the school to the locality, making it discretionary with him. Also, both, the governing body and the school board would have to make the request rather than either of them.

"The local governing body," Gov. Almond said, "may override the will and judgment of the school board (under present law), thereby precluding the Governor from the exercise of authority and depriving him of the essential co-operation of the school board in bringing about a solution, a desirable objective of which would be to stay and possibly withhold the operation of other applicable provisions of State law.

Glaring Defect Seen

"The bill herewith submitted, earnestly inviting your favorable action, would cure what I conceive to be a glaring defect in existing law by requiring the joint action of the school board and the governing body of the political subdivision as a condition precedent to a request to the Governor to restore the facility to local operation and control with its consequent responsibility . . .

"It (the bill) would enable the Governor to hold other applicable provisions of State law in abeyance as long as there was reasonable hope of a salutary solution. It would place him in a position conducive to securing the co-operation of local authorities."

One of the factors that spurred, if not inspired, enactment of the Stanley program two years ago was announcement by the Arlington County School Board of tentative plans to integrate a few of its classes, in line with the Supreme Court desegregation decision. During last year's campaign for Governor, Mr. Almond took the position that there should be no integration anywhere in Virginia."

The top action in the General Assembly yesterday came in the Senate where the blank paper registration bill passed 21 to 14 after a two-hour debate, the longest and hottest of the session. It now goes to the House.

The bill would require voters to register on blank paper without aid and without reference to anything written while filling out the application.

Senator Garland Gray, chief patron on the bill, led off the fight in its favor. He contested the views of opponents that the bill was restrictive, negative legislation almost impossible of honest administration.

The bill was amended in committee to permit the registrar to point out the provisions of the Constitution. Senator Edward E. Haddock of Richmond said this was not mandatory on registrars and would allow them to play favorites.

A package of bills was introduced by Delegate John B. Boatwright of Buckingham County which are aimed at curbing the National Association for the Advancement of Colored People. They would have the State Corporation Commission require of any organization charged with unlawful practive of law a complete list of membership and financial records.

Virginia OK's new race laws

News P A12

RICHMOND, Va., March 8 —(AP)— The Virginia General Assembly approved without appreciable dissent all of Gov. J. Lindsay Almond's proposals to shore up the state's program against mixing of the races in public schools.

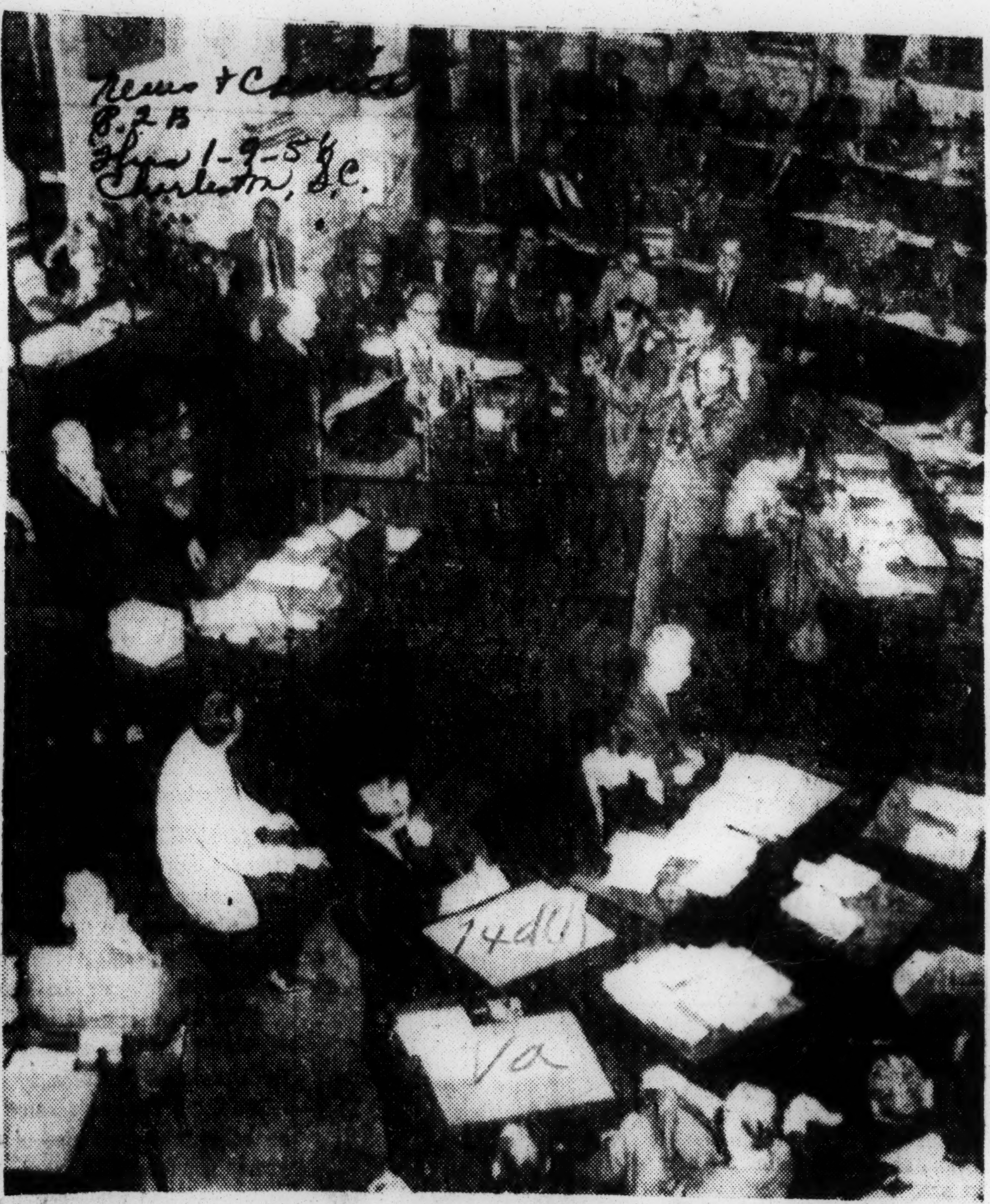
Bham, Ala

It amended the Pupil Placement Act which puts the assignment of any beginners or transfer pupils in the hands of a central three-member board. The Assembly took away from localities the privilege of operating integrated schools entirely with their own funds and also enacted "Little Rock" bills to close schools patrolled by federal troops or others in districts where federal forces attempt to take over control of one.

Sun 3-9-58

Aside from the administration's program, the Assembly continued the work of legislative investigations into the activities of the NAACP, especially its part in racial litigation. It combined into a single seven-member committee of assembly lawyers the work done previously by two separate committees.

It also enacted a bill to require the NAACP to report annually its contributions or part in litigation and the names of those to whom the assistance was given.



News & Courier
8-2B
Jan 1-9-58
Charleston, S.C.

14d(1)

Va

GOV. STANLEY DELIVERS FINAL STATE OF COMMONWEALTH TALK
This Was Scene In Chamber Of House Of Delegates

Virginia Assembly Asked To Stand Pat On Schools

14d(1)

News & Courier
8-2B

Charleston S.C.
Jan 1-9-58

RICHMOND, Va. Jan. 8 —Gov. Thomas B. Stanley today called on the Virginia General Assembly to stand pat on his package of school legislation under which the state's public classrooms thus far have been kept racially separated.

The outgoing governor, addressing the opening session of the 1958 Assembly, called for re-enactment of the provision in the general appropriations bill which limits state school funds to efficient elementary and secondary school systems and defines "efficient" as meaning systems in which white and Negro children are not taught together.

EXPIRES AUTOMATICALLY

This provision will expire automatically with the present appropriations law next June 30 unless written into the new bill.

The governor reported the traditionally solvent state treasury would wind up this fiscal year with an unobligated balance of more than 53½ million dollars.

In a preview of his budget recommendations due tomorrow, Stanley disclosed he would call for some 31½ million dollars extra in the new appropriations bill largely for teacher pay increases and additional teachers.

ON SOUND GROUND

He said he was proposing the expansion in education — in the face of court attacks on the state's policy of segregation — in the belief "we are on sound constitutional ground and eager to advance the educational opportunities of all our citizens."

Stanley turns over his office to Gov.-elect J. Lindsay Almond Jr. on Saturday.

Looking back on the legal struggle to continue Virginia's separate school system which beset most of his term from the day in May 1954 when the U. S. Supreme Court outlawed school segregation Stanley said:

"Had Virginia acceded to this unwarranted edict and adopted legislation accepting the principle of integration, our cause would have been lost. Now, through the leadership of Virginia, citizens throughout the country have begun to understand the basic constitutional principle involved. At the same time we hope they have become better informed on the true picture in the South and at least comprehend the distinction between segregation and discrimination."

U.S. Hearing Due Virginia School Law

Times-Union
Jacksonville, Fla
Jan. 1-5-58

RICHMOND, Va., Jan. 4 (UP)—Virginia's controversial pupil-placement law, the state's front line of defense against integration, comes up for its first clearcut challenge in a federal court Thursday.

V/18

State officials privately express hope that the U.S. Fourth Circuit Court of Appeals will take note of a favorable ruling on the act by the Virginia Supreme Court of Appeals.

The federal court is scheduled to hear arguments at Charlotte, N.C., on an appeal from a ruling by Federal District Judge Albert V. Bryan of Alexandria last fall ordering Arlington County to admit seven Negro students to white schools.

State Atty. Gen. Kenneth C. Patty asked the appeals court to rule on the placement act to clear up a legal haze that has surrounded the law since previous federal court rulngs on it.

Federal District Judge Walter Hoffman of Norfolk ruled early last year that the act, which set up a state board to assign students to schools, was "unconstitutional on its face."

The federal appeals court agreed saying the act, when coupled with other state laws which would cut off state funds to integrated school districts and close racially mixed schools, provided no adequate administrative relief for Negroes seeking admission to white schools.

The U.S. Supreme Court's refusal to review the case left attorneys in disagreement over whether the law had been killed.

The State Supreme Court, however, last month threw out a white mother's challenge of the act, saying there was nothing to back up her contention that the law was unconstitutional.

Patty asked tte federal appeals court to spell out clearly whether the whole placement act or parts of it are invalid. In a brief filed with the court, he contended that if the act is void in its entirety, Bryan's order should be reversed on the ground that the Negroes have failed to establish the help in gaining admission to the schools that they asked of the court.

Attorneys for the NAACP have answered that the placement act does not justify Arlington's refusal to admit Negroes to its white schools.

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3 Counties Lose By School Bill

Star PASS

Washington D.C.

Montgomery and Prince Georges counties in Maryland, and Fairfax County, in Virginia may lose $100,000 each annually in Federal aid to their schools under a bill approved yesterday by the House Education Subcommittee.

Subcommittee Chairman Bailey, Democrat of West Virginia, said his unit voted unanimously to extend general Federal aid to schools with heavy enrollment from federally employed families to 1961, however. By this action, the subcommittee rejected President Eisenhower's request practically to eliminate Federal aid.

Reclassifies Schools

Chances of local losses stem from reclassification of the area's schools under the subcommittee measure.

Big systems, with 35,000 enrollment or more, must accept less from the Federal Government for their children of federally employed parents than small systems.

Wash. 2-20-58

Under current law, the county's schools in the three areas failed to qualify as "big" systems, because they had fewer than 35,000 students each in 1939. The Bailey bill would base the classification of schools on 1957 enrollment—more than 35,000.

Other schools of Arlington County and the city of Alexandria have fewer than 35,000 pupils.

Theoretical Losses

Had the subcommittee reclassification applied last year, Montgomery County would have lost $117,000 of $1.3 million in Federal funds; Prince Georges $107,000 of its $1.2 million and Fairfax $111,000 of its $1.7 million.

The bill will go before the full House Education and Labor Committee at its next regular meeting on February 27.

COURT OF APPEALS CASE

Advertiser P.3B
Montgomery Ala.
Jan. 10-58

Virginians Deny Race Kept 7 Negroes Out Of Schools

CHARLOTTE, N.C., Jan. 9 (AP)—Three Virginia lawyers argued here today that race was not a factor in denying seven Negro children admittance to white schools in Arlington, Va.

The three made oral arguments before the 4th U.S. Circuit Court of Appeals in their appeal from a Sept. 14 ruling by federal District Judge Albert V. Bryan that the seven children be assigned to schools nearest their homes. In each case the nearest school is a white school.

The ruling was stayed pending today's hearing.

The three-judge court, headed by Judge John J. Parker of Charlotte, will announce its decision later.

The state of Virginia, in a brief filed in the case Dec. ', 1957, also has asked the court to rule on the validity of the Virginia school placement act which empowered a three-man board to make school assignments in place of local school boards. The act was one of several the state adopted to fend off school integration.

Representing the Negro children were Oliver W. Hill and Spottswood W. Robinson III, both of Richmond, Va. Frank L. Ball and James H. Simmonds represented Arlington County and Henry T. Wickham, special assistant to the attorney general of Virginia, appeared in behalf of his state.

The original motion was filed against the Arlington County School Board Sept. 9 and heard by Judge Bryan Sept. 11.

MASSIVE RESISTANCE

Wickham argued that the motion should have been filed against the state's three-man placement board. But Hill argued that "massive resistance by the commonwealth of Virginia" to the U.S. Supreme Court's school desegregation decision was the "crux of the matter; not the school boards." He called the placement board a "farce" which could not assign students objectively.

Simmonds argued that the school board was not given enough time to prepare its case and that the Negroes showed no proof that they had been denied admittance to the white schools.

Wickham asserted that the children were not denied admittance because of race. He called on the court to rule on the validity of the pupil placement act, and said the decision should be either reversed or dismissed.

Simmonds charged that only one of the children filled out a placement form and that it was for thi reason that they were denied admittance. He said the form makes no mention of race. He said white children in the county had been denied admittance to schools for failing to fill out forms.

Ball, who said seven generations of his family had attended Arlington County schools, argued that there was no reason for the federal district court to have assigned the Negro children to schools closest to their homes.

Because of the way the school districts in the county are laid out, he added, most students do not attend the schools nearest their homes.

CONSIDERED 'FUTILE'

Hill said that the parents of the Negro children did not fill out the placement forms because they considered it "futile." Touching on the Arlington lawyers' contention that they were given only two days to prepare for the hearing Sept. 11, Hill asserted that the children were denied admission and needed relief from missing school which had sarted.

Robinson contended that the rights of the Negro children had been established by the U.S. Supreme Court's school desegregation decision, long before Virginia enacted its pupil placement act.

He said the Negroes applied for schools they were legally entitled to enter and had full right to seek an unsegregated education.

"Had they been white," he said, "they would have been admitted."

Arguing that the students were not denied admission by the placement board, Robinson said they were denied admission by "agents and employes of the school board. Theer is no real basis that the school board is not involved."

Post P.1
Jan. 9-58
Washington, D.C.

School Aid Boost Asked By Stanley

But He Urges State To Stand Fast On Segregation

By Robert E. Baker
Staff Reporter

RICHMOND, Jan. 8 Gov. Thomas B. Stanley proposed today that the General Assembly increase appropriations for public education but stand pat on Virginia's "massive resistance" toward school desegregation.

In a State of the Commonwealth address to a joint session of the House of Delegates and State Senate, Stanley said he was ending his administration with a $53.6 million surplus in the State Treasury which would permit increased appropriations without new or increased taxes.

Surpluses are not unusual in Virginia where underestimating revenues is standard operating procedure. Moving up the income tax payment deadline for a one-shot windfall last year gave the State a double dose of underestimation and the subsequent oversize surplus, however.

Cutoff Reenactment Urged

The Governor asked the Assembly to reenact the law he sponsored in 1956 which automatically cuts off State school funds to schools which desegregate. He recommended a wait-and-see policy before changing any other "massive resistance" laws.

"Though subjected to repeated and continued attack by those who fail to recognize the sincerity of our purpose," Stanley said, "these statutes have prevented up to this day a single instance of integration in any of the public school classrooms of this State."

Virginia legislators react favorably to Gov. Stanley's Commonwealth report.
Page A14

He repeated the now-familiar argument that the Supreme Court went beyond its authority in attempting to "legislate a new social order" in its 1954 school desegregation decision, and said Virginia's leadership has awakened other Americans to the constitutional principle involved.

"We hope they have become better informed on the true picture in the South and at last comprehend the distinction between segregation and discrimination," Stanley said.

High Court "Encroachment"

He called for a firm stand by the South to resist "attempted encroachments by the Supreme Court."

Such a stand also was reemphasized last week by U. S. Sen. Harry F. Byrd (D-Va.), who said he saw "symptoms of modernization" in the Federal Government's attitude toward States Rights.

Stanley's stand pat position on massive resistence to desegregation is not binding on Gov.-elect J. Lindsay Almond Jr., who may have some ideas of his own. Almond so far has remained silent and his inaugural address is awaited as a clue to any new position Virginia may take on school integration.

Post Herald 1B
Jan. 9-58
Washington, DC

The Senators and Delegates interrupted Stanley's 40-minute address seven times with applause. The first applause, and perhaps the loudest, came after Stanley defended his antiintegration legislation.

Stanley, who will deliver his budget for 1958-60 to the Assembly on Thursday and turn the Governorship over to Almond on Saturday, asked for a $31.5 million increase in appropriations for school needs over the next two years.

This would mean a $250 yearly increase for teachers, raise the present $2400-$3600 scale to $2600-$3800, and provide 1111 more teachers. The State Board of Education had asked a $2700-$3900 scale.

He also recommended a transfer of $10 million to the State Literary Fund from which localities could borrow money for school construction. The fund now has a $12 million backlog in requests.

The Governor said he vigorously opposed any new program of Federal aid to education and asked the Assembly to pass a resolution supporting that stand.

He also had an answer for why this Nation may be losing its scientific leadership to the Russians:

"We have allowed our children at the immature age of high school, to elect not to study subjects of demonstrated value, and to take courses of doubtful worth.

Reevaluation Needed

"It is imperative that we reevaluate these methods and delineate a positive, compulsory course of study through the high school that will give every graduate a sound foundation education in the understanding and use of his own language, mathematics and basic science."

He asked the Education Facilities Committee to study curricula and make recommendations to remedy shortcomings.

Associated Press

E. BLACKBURN MOORE
. . . reelected Speaker

On the other hand, Stanley took a look at state-supported colleges and said they should charge more tuition. He noted that Virginia taxpayers, through the General Fund, will pay 43.7 per cent of the operational costs of these colleges.

He said he opposed subsidization of all students in state colleges, because many of them don't need it. Instead, he favored student loans to those who otherwise couldn't afford to go to college.

"A student paying his own way will want to be sure of full value in return for money expended," said Stanley. "There is no more beneficial lesson to be learned than the value of money and its wise management."

Stanley also proposed:

- An increase from $2.87 to $3.30 a day allocation for treatment and care of patients in state mental hospitals "to help make these institutions real treatment centers rather than simply places of custody."
- A continuing study of highway needs because "good roads are indispensable to our economic well-being and to our future progress."
- Laws imposing a mandatory jail sentence for drunken drivers.
- Increasing the state police force by 60 men to a total of 666 men, and additional clerks and stenographers to free troopers from bookkeeping details for highway patrol.
- More promotion money to entice industry to Virginia because "further emphasis on industrial development will pay rich dividends in maintaining a strong Virginia economy and in advancing the welfare of our people."

Sanatorium Sale

- Possible sale of the underused Catawba tuberculosis sanatorium because "I am strongly opposed to the state entering the field of medical care for sufferers of chronic diseases and thereby taking on the responsibility for another permanent and heavy expense."

Stanley noted that, while the state's industrial development moved forward steadily over the past four years, the number of farms continued to decrease.

He said it was "encouraging" that many farmers were advocating procedures predicated on self-reliance and a minimum of Federal intervention, adding: "Virginia's reputation as a state of well-governed, independent and progressive people can be attributed in large part to those who live on the farm. We are proud of this fact and rely upon them to offer the same kind of leadership in the future."

Post & Times Herald
Washington D.C.
Jan 1-12 58

Governor Rules Out Moderation

New Law Sought To Close Schools If Troops Step In

P. 71

By Robert E. Baker
Staff Reporter

RICHMOND, Jan. 11—James Lindsay Almond Jr. became Governor of Virginia today and warned his people that racial integration of schools anywhere in the State "means destruction everywhere."

He rejected compromise, token integration or local option in dealing with the State's school segregation problem.

He told an inaugural crowd which included former governors, members of Congress and state officials that he was "not dissatisfied" with the State's anti-integration defenses. This was his first public commitment to support re-enactment of a law that automatically cuts off state funds to integrated schools.

But he added that he would not hesitate to call a special session of the General Assembly "whenever the public interest may so require."

Almond called for one addition to the program of massive resistance: immediate enactment of a law giving him authority to close a school if Federal troops are ordered to "police its operation." This apparently results from his campaign pledge that there would be no Little Rock in Virginia.

Once a Roanoke Judge

The one-time Roanoke Corporation Court judge, who rose to the State's highest office through the ranks of the ocratic Byrd Machine, pledged to do all he could to promote "an efficient, progressive and well-functioning system of public free schools."

But he said that thousands of Virginia parents would not send their children to integrated schools and that the result of integration would be "half schools or quarter-schools or no schools, struggling for survival in communities torn by dissension."

Such facts, he said, must be faced squarely. And he added a note for those who have been seeking moderation in the segregation dilemma:

"Moderation may be, indeed, the noblest gift of heaven, but it is stark reality that confronts us here on earth."

Some Virginians have advocated that individual communities be permitted to handle their own school segregation problems, especially those with a small percentage of Negroes. But said Almond:

"I am convinced that there is not one political subdivision in Virginia where racially mixed schools can be conducted without such serious and irretrievable loss and damage to the cause of public education as to render the attempt, even on an experimental basis, all but futile."

No Compromise

PA12

To suggestions that a compromise be worked out, Almond said he "cannot conceive such a thing as a 'little integration' any more than I can conceive a small avalanche or a modest holocaust.

"To sanction any plan which would legalize the mixing of races in our schools would violate the clear and unmistakable mandate of the people. This I cannot do."

Almond, who for 10 years as Attorney General fought the state's segregration battle in Federal courts, noted that he also had been elected Governor of Negro Virginians.

He pledged his "unremitting efforts" to equalize the Negro schools with those for whites, though they remain separate, and said he hoped that "we may explore other areas of mutual concern involving state services with greater hope for resolving decisive issues in a spirit of unity and good will."

Associated Press

J. Lindsay Almond Jr., left, is sworn in as Virginia's Governor by Chief Justice Edward W. Hudgins of the State Supreme Court in ceremonies at Richmond.

Educational Challenge

Jan 1-12 58

The rest of Almond's address dealt with meeting the challenge posed to the state's system of education by Russian technological advances and, at great length and with characteristic gusto, the preservation of state's rights. Other important problems, such as economic development, highway safety and public health, were "regretfully put aside for another day," he said.

On improving Virginia's schools, Almond rejected, as did outgoing Gov. Thomas B. Stanley, proposals for Federal aid to education.

He urged that $15 million be placed in the State Literary Fund for communities to borrow for school construction. He also asked a "substantial" reduction in current interest rates charged for the loans.

Stanley, in his budget submitted earlier this week, proposed a $10 million fund with no change in the interest rate.

Pay Raises for Teachers

Almond asked for "substantial increases" in teacher salaries, without specifying an amount.

He requested changes in school construction regulations for more economical building: "In spending public funds on school buildings, frugality must be the watchword, substance the goal, with dispensable frills and appendages eliminated."

After urging a reappraisal of curricula, with an eye toward meeting the Russian technological advances, Almond urged the General Assembly and Virginians "to join with me in finding bold and imaginative ways in which we of Virginia may rise to this challenge."

But he cautioned against stressing science at the expense of the humanities.

"It has been aptly said that the preservation of Western civilization demands of our educators two things: the development of scientists who can build a more deadly weapon, the development of statesmen who can prevent its being used."

Defense of Rights

Most of Almond's address was a thumping defense of states' rights, a thing of oratorical splendor, so fervently delivered that one State Senator, Armistead L. Boothe of Alexandria, later remarked: "That was perhaps the most masterful presentataive of the Southern position on states' rights since 1861."

The new Governor warned of "an ever-deepening constitutional crisis" which, because of recent Supreme Court decisions, is threatening the rights of all states.

"With the soothing assurance that this is all for our own good, our judicial surgeons have prescribed a massive political blood-letting; and it is not the South only that is being leeched; it is the whole body of the Republic.

"Weakened by this cynical phlebotomy, enervated by sweet anesthetic, the states gradually are declining to the insignificant role of dependent Federal satellies—mere municipal provinces of Washington, suburbs of the Capital.

"They are being drained of the vitality that has contributed so greatly to the Nation's strength, and the pity is that an apathetic people lie indifferent to the enveloping evil."

To restore the states to what Almond called their "proper dignity," he asked the General Assembly to establish a commission to work with him and other states.

He also spoke of state responsibilities which, when not exercised, "create a vacuum and invite the exercise of invading Federal authority."

"Failure of the states to exercise their rights, in the time of need, is tantamount to their abandonment," he said. "The greatest and most sincere demonstration, economically, politically and socially, which can be made at this time for the retention of our rights, would be a major assumption of state responsibility in the field of education in the present national crisis."

Byrd Backs Almond's Proposal on Troops

RICHMOND, Jan. 11—Sen. Harry F. Byrd (D-Va.) said today that Gov. J. Lindsay Almond's only new proposal for Virginia's anti-integration defenses would be a "deterrent to the use of Federal troops" in enforcing school desegregation decrees.

Almond, in his inaugural address, asked the General Assembly to give him power to close a school if Federal troops are ordered there. Byrd, who sat through the 2-hour inaugural ceremonies without a topcoat, said he thoroughly approved of Almond's proposed addition to the State's massive resistance program.

The State's Senior Senator, the first to call for massive resistance by Virginia and the South against the 1954 school desegregation decision of the Supreme Court, said Almond's speech was "one of the most notable ever delivered in Virginia, filled with sound doctrine."

3500 in Audience

The address, delivered before an estimated 3500 persons on the south portico of the Capitol, was interrupted by applause 30 times. But most audience reaction was subdued and there were only a few cheers.

Most state officials appeared to react very favorably to the address, although there were some dissident voices.

State Sen. Ted Dalton of Radford, GOP gubernatorial candidate who lost decisively to Almond last November follow outgoing Gov. Thomas B. Stanley's school program.

"That means Virginia will not begin to look for a solution until she finds herself engulfed in troubles," he said. "Once again Mr. Almond fails to say what Virginia should do beyond cutting funds and closing schools—and that will suffice."

Hardened Attitude

Almond did not commit himself to the cut-off-the-funds program, originated by Stanley, until today. In view of Almond's disfavor with that law as a legal device when he was Attorney General, some persons saw a hardening attitude on his part now that he has become Governor.

However, Del. William L. iWnston, of Arlington, reasoned that the law is now being contested in Federal courts and that Almond could not disavow the law at this point without admitting its defeat.

Others took special note of Almond's announcement that he would call a special session of the General Assembly "whenever the public interest may so require."

State Sen. John A. K. Donovan of Fairfax said this meant Almond did not wish to disrupt the current Assembly with the race issue "But I do think the public interest calls for' meeting this problem today," said Donovan.

Industrial Need Cited

State Sen. Armistead L. Boothe of Alexandria said he was sorry Almond postponed unveiling a plan for industrial development of Virginia which Boothe called "the most crucial need of Virginia's people."

On the other hand, State Sen. Charles R. Fenwick of Arlington said he was "delighted to see that the Governor has indicated a deep interest in industrial development."

Boothe said he disagreed with Almond on one issue:

"I cannot vote to close the public schools in any area of the State unless the people in that area themselves have first voted to close them. Local rights can be destroyed by the State as well as by the Federal Government."

Fenwick, who said the address was a "typical, colorful, Lindsay Almond speech," also said it set forth what Almond had said during the campaign: "Mainly, that he intended to maintain segregated schools by every legal means."

Parade Troops

The inaugural parade was composed mainly of Virginia National Guard troops, Cadet Corps of Virginia Military Institute, Virginia Polytechnic Institute and Richmond high schools, and their bands.

Two local Negro high schools were invited to send marching groups but declined on the grounds their units were not sufficiently well organized.

When Almond, in his address, spoke to Negro Virginians and promised them schools equal to those for whites and more state services, there was one Negro in the stands and four Negro youths behind a barricade beyond the Governor's sight.

Before Almond, Lt. Gov. A. E. S. Stephens and Attorney General A. S. Harrison were sworn in, they gathered for a smoke in the old hall of the House of Delegates around a statue of Robert E. Lee. Dalton strode by and he and Almond shook hands by the famous Houdin statue of George Washington.

Would Close Any School If Troops Came

Journal & Guide

Norfolk Va.

Sat 1-25-58

Special to Journal and Guide

RICHMOND — Some Virginia legislators seemed to be "falling over each other" in an attempt to get a bill passed which would shut down schools to which National Guard or Federal troops are assigned.

P. 3

Gov. J. Lindsay Almond Jr. had already recommended such legislation last week, but had not sent his bill down.

• • •

BUT TUESDAY, Del. Hunt M. Whitehead, of Chatham, and some of his colleagues introduced their own bill which was called "not the governor's bill."

The bill entitled a measure to "maintain peace."

It prescribed that the Governor and local School Board must suspend operations if troops are ordered to a school.

• • •

THE GOVERNOR, under the bill, could use State Police to maintain order, but even he would be denied the use of the National Guard.

Stanley's Segregation Plea Stirs No Surprise

Evening Star P.A20

Washington D.C.

By Star Staff Writer

RICHMOND, Jan. 9. — Gov. Stanley's plea for continuation of Virginia's anti-integration program apparently didn't surprise anyone, and produced no unusual reaction.

Thurs 1-9-58

State Senator Ted Dalton, who as the Republican candidate for Governor opposed the so-called Stanley Plan, declared he felt the cut-off-the-funds program should be discontinued.

He said he disagreed with the Governor's statement that present legislation has prevented any mixing of races in the schools.

"That has come about by the consideration of the Federal Courts," said Senator Dalton. "How best to preserve our separate public schools when the court decrees become effective is the problem yet to be reckoned with, and this will require our best thought and co-operation."

Thomson Non-Committal

Delegate James M. Thomson of Alexandria said he liked the Governor's speech very much, but remained non-committal on whether he would again support the fund cutoff that Gov. Stanley yesterday asked the General Assembly to renew.

Mr. Thomson said he wanted to wait and see what Gov.-Elect Almond would propose. He added that he did not expect the incoming Governor to recommend any great changes in segregation laws.

Delegate Harrison Mann of Arlington said he opposed the fund-cutoff at the last General Assembly session and intended to do the same this time. He said he was gratified to hear Gov. Stanley announce that he was recommending higher appropriations for care of mential patients,

Fenwick Praises Record

State Senator Charles R. Fenwick said the Governor's message showed a record of State accomplishments and progress during the last four years. He also said he was pleased to hear the Governor emphasize the increasing need for mental hospitals and education. He withheld comment on the fund cutoff to see what the incoming Governor has to say.

Delegate John Webb of Fairfax-Falls Church said the Stanley plea for renewal of the fund cutoff "is bad news to public education — I can not support this measure."

State Senator Armistead Boothe of Alexandria called the Governor's address "a fair and accurate summary of his administration, sincerely given and well received." Regarding segregation, Senator Boothe said he preferred to wait and see what the incoming Governor had to say before commenting.

Racial Probe of Schools Is Proposed by Thomson

By Robert E. Baker

N Y Herald Tribune News Service

RICHMOND, Jan. 22—Del. James M. Thomson of Alexandria proposed a new racial investigation committee today to determine if "both sides" of the segregation issue are being taught in Virginia schools and colleges.

Post, P.B-6

The committee would have the power to probe the subject matter being taught, textbooks and defence materials, — and possible "subversion." Thomson envisioned teachers and professors being brought before the committee to testify as expert witnesses.

Thurs 1-23-58

Washington, D.C.

But whether teachers and professors will actually be investigated as to their personal beliefs will be up to the committee to determine," said Thomson, who introduced a bill to establish the committee in the House of Delegates. He said it was patterned after the legislation which set up the California House un-Amreican Activities Committee several years ago.

The Thomson proposal encompasses the same field of investigation into groups which try to encourage racial litigation as proposed in a previous bill by Del. John B. Boatwright of Buckingham. But in probing the schools, Thomson goes much further.

Already there are indications that his proposal will face a fight in the House Courts of Justice Committee and one veteran Senator predicted its death in the Senate.

Thomson said the bill would authorize investigations not only into public schools and state-supported colleges, but in private colleges as well.

The bill authorizes the committee to issue subpenas, which could be served by agents and investigators of the committee, and provides for court contempt trials against persons who refuse to cooperate, including those who are "rude, disrespectful or disorderly" before the committee.

In addition to seeing if "both sides" of the segregation issue were being made available to students, Thomson said the committee would also go into curricula as far as history, political science and social sciences are concerned.

"One aspect would be to see if the principle of states rights is being properly stressed," he said.

After investigating textbooks, Thomson said, the committee would recommend that any found undesirable be removed from the school shelves.

"We are not book burning," he said. "Some books dealing with sex education should be taken out now."

He said if the committee can construe the language of the bill to include a probe of sex education, it could investigate that field, too.

Thomas said the new committee would need "plenty of investigators" and that he anticipated many open hearings. The old Thomson committee was widely criticized for holding closed-door hearings and interrogations of witnesses.

14d(1) 1958

VIRGINIA

Rebuff Almond's Plea

White Virginians Vote For Opening of Schools

Pittsburgh Courier

Pittsburgh Pa.

P. 9

Sat. 11-8-58

RICHMOND, Va. — White Virginians are tired of schools being closed because of integration.

Despite an in-person plea by Gov. J. Lindsay Almond Jr. of Virginia to some 7,000 deadly serious teachers and school administrators at the Virginia Education Association's convention about to vote on whether public schools should be closed or accept a measure of integration, the convention balloted Friday, at least 5 to 1 by voice vote, to keep the schools open.

Nor would the worried educators, one of whom said: "We are paying too high a price for segregation," alter in the slightest the resolution which had earlier been worded and adopted 19 to 1 by directors of the group asking the legislature to enact needed legislation to insure continued operation of "free" schools.

THE VOTE against changing the resolution so it would not contain so much firmness tabled the would-be alteration by a vote of 650 to 151, with nearly 1,200 of the persons in attendance eligible to vote.

Last week the Virginia Congress of Parents and Teachers voted to ask the legislature to allow local option to govern the closing of schools instead of Governor Almond's gubernatorial control, now demanded by state law.

Several days before the Virginia Education Association's action, Almond was served by a deputy U. S. marshal with papers naming him defendant in another suit filed by parents of white pupils in Norfolk schools. The parents want schools reopened in Norfolk, even on an integrated basis.

The 7,000 attendance at a convention of 1,200 eligible Virginia school educators from all parts of the state attested as to how serious Virginians regard the closing of their schools.

SCHOOLS HAVE been closed in Norfolk, Charlottesville and Front Royal, and could close in Alexandria if U. S. District Judge Bryan grants a petition of 14 Negro students asking immediate admission to schools there.

The resolution approved by the educators' convention read:

"We are gravely concerned over the closing of public schools in Virginia. We reaffirm that we will exert all possible effort toward the preservation and improvement of a system of free public schools in Virginia which we believe essential for the preservation of our American democracy.

"We urge that the Governor convene the General Assembly at an early date for the purpose of enacting such legislation as will assure the continued operation of the Virginia public schools as a state function."

Hearing Set On Virginia's School Law

Post

Washington D.C.

Wed. 11-5-58

P. B1

BALTIMORE, Nov. 4 (AP) A federal judge today set Nov. 19 for the convening of a special three-judge federal court in Norfolk, Va., to hear arguments on the validity of Virginia's anti-integration laws.

Chief Judge Simon E. Sobeloff of the U. S. 4th Circuit Court of Appeals said the hearing will consider the merits of the case itself and not merely consider a preliminary restraining order pending final settlement.

The hearing date was announced yesterday by Federal District Judge Walter E. Hoffman in Norfolk, who will sit on the three-judge court. Judge Sobeloff's announcement today was a formal verification.

The crucial hearing on the massive resistance laws will fall between two other important dates related to Virginia's prolonged integration crisis.

A referendum is scheduled Nov. 18 in Norfolk to determine whether residents favor reopening six closed public schools on an integrated basis. On Nov. 24 Virginia's Supreme Court is to hear arguments on a suit filed by the state government seeking a ruling on the constitutionality of the massive resistance laws.

The state's action in seeking a ruling from a state court was interpreted at the time as a move to head off a challenge in the federal courts.

Both the state court and the three-judge federal court are expected to take their cases under consideration. The Federal Court may decide to hold up its decision until the state court has acted.

If the laws are struck down as unconstitutional and invalid, Virginia will be faced with the alternatives of accepting a few Negro children in a few white schools or of ending public education.

Norfolk Group Drops Plan for Private Classes

Philadelphia Inquirer

Philadelphia Pa.

Sat. 11-4-58

P. 5

RICHMOND, Va., Oct. 3 (AP) —The withering of a program designed to provide private class facilities for 10,000 integration-idled white pupils in Norfolk and the forecast of further court action next week marked Virginia's troubled school front today.

Amid these developments there was no further word from Gov. J. Lindsay Almond Jr., on what moves he has in mind to try to reopen nine closed schools—six in Norfolk, two in Charlottesville and Warren County High School at Front Royal.

TEACHERS SHUN PLAN

The inability of the Tidewater Educational Foundation in Norfolk to sign up a single public school teacher led to the suspension of the operation which, the foundation claimed, had registered 2630 pupils. James G. Martin 4th, foundation president, called the attitude of the teachers "inscrutable." As a result of the lack of teachers, he said the foundation would cease enrollment and return the tuition fees already paid.

Only about $450 in $20 fees had actually been paid, he said.

NAACP PLANS ACTION

The Norfolk City Council sought to avail itself of a State law that would have the Governor—on request—take over a school and reopen it as a segregated facility under the police powers of the State. Almond apparently had discounted this plan in advance when he rejected the idea that State sovereignty could be used to contravene Federal power.

The National Association for the Advancement of Colored People served notice it would try to get the six schools open in Norfolk on an integrated basis. Attorney Victor J. Ashe said he would ask U. S. Judge Walter E. Hoffman Monday to provide additional relief for the 17 Negro pupils Hoffman ordered admitted to the schools.

Virginia Calls Public School Proviso Dead

Supreme Court Ruling Nullified Constitution Section, Brief Says

Post

Washington D.C.

Sat. 11-8-58

P. E1

RICHMOND, Nov. 7 (AP)—Attorney General A. S Harrison Jr. told the Virginia Supreme Court today the U. S. Supreme Court killed the State's obligation to operate public schools when it knocked out the laws requiring racial segregation.

He advanced this as the chief argument in a brief field in support of the State's massive resistance school laws. Gov. J. Lindsay Almond and the Attorney General brought a test of the legality of the statutes in the state court in an effort to forestall prior decisions on the laws by Federal courts.

Harrison argued that Section 140 of the Virginia Constitution—forbidding the mixing of races in public classrooms—must be given equal weight with Section 129 which requires the General Assembly to operate an efficient public school system throughout the State.

He told newsmen the constitutional requirement for the State to operate public schools was a requirement only so long as such schools were operated on a segregated basis.

14th Amendment

Harrison argued, too, there was no question of a violation of the equal protection under the law proviso of the 14th Amendment of the U. S. Constitution. He said closure of any school under the State law applied equally to white and Negro children attending such schools and benefits (proposed tuition grants) would be paid alike to white and Negro children who declined to attend desegregated schools.

The Attorney General said even if the State court held that the State has an obligation under Section 129, there is no requirement that designated schools must be operated schools must be operated. He referred to the word "efficient" in the Section and the Legislature's definition of efficient to mean "segregated." The Legislature had a perfect right to make its own determination of what constitutes an efficient school, he added.

Harrison's friendly test case was brought against Comptroller Sidney Day to test the status relating to tuition grants. These grants would have to be authorized by Day's office.

The Virginia closure statutes, Harrison said, could not be regarded in the light of the Little Rock, Ark., case. At Little Rock's Central High School, he said. The State authority undertoo to meet the problem of anticipated strife in a manner which continued the discrimination outlawed by the Supreme Court.

Virginia Differs

"Under the Virginia's laws," he said in a resume of the brief, "the closing of the schools to prevent strife and racial tension and disruption of education does not result in discrimination, or treating the members of one race differently from members of the other race."

Harrison's brief was handed

to the clerk of the Virginia Court of Appeals on the filing deadline at the end of the business day.

The Court has agreed to hear oral arguments Nov. 24. The Comptroller's challenge of the constitutionality of the laws is being handled by Samuel H. Williams, a prominent Lynchburg attorney who has questioned them on state and Federal constitutional grounds.

Nine Virginia schools have been closed under state law to block desegregation. In Norfolk where six of the schools were closed and 10,000 students displaced the first of three challenges before a three-judge Federal court has been set for Nov. 19. Harrison, however, said he would ask Chief Judge Simon E. Sobeloff of the 4th U. S. Circuit Court to defer this hearing until after disposition of the state case.

1902 Convention

The brief traced the historical background of Section 129 which was written into the Constitution at the convention, of 1902. At that convention, the statutory provision on segregation, was written also.

"It is manifest that the framers of the Virginia Constitution of 1902 never intended to place upon the General Assembly and unrestricted mandatory duty to maintain a system of public schools throughout the state, but intended to lay down the mandate only as limited by the accompanying prohibition of Section 140 (segregation)," Harrison said.

"In the debates of the Constitutional Convention of 1902 it was pointed out that an effort was once made to provide for the operatoin of mixed schools wherein Negroes and white children would be taught together, and that there was a refusal at first to establish a public school system because of such proposal . . .," he added.

Court Will Decide If State Can Close Schools

Daily Home
Talladega
Ala.
Thurs
11-20-58
P1

NORFOLK, Va. (AP) — A special Federal Court has begun its study to determine whether Virginia's school closure law is constitutional.

The three-judge court heard four hours of testimony Wednesday, then adjourned without a ruling. It asked for additional briefs by Dec. 5.

A new attack on the state's massive resistance to integration legislation—this one brought as a test case by the state itself — will begin Monday before the Virginia Supreme Court of Appeals. No decision is expected before early December.

Two school officials and a veteran teacher told the federal court Wednesday that unless six Norfolk white schools closed under the closure law are reopened soon, the city's public school system will suffer disastrous effects.

Virginia Atty. Gen. Albertis S. Harrison, who with Gov. J. Lindsay Almond Jr., the Norfolk School Board and its superintendent, is a defendant in the suit, said closing of the schools is a valid exercise of the police power of the state and asked for dismissal of the case.

Virginia is not trying to destroy public education, he said, but is trying to prevent trouble by removing integrated schools from the public school system so the governor can investigate to determine whether they can be returned to the system.

J. J. Brewbaker, school superintendent, said "it is very tragic" for the locked out students. He said they will have trouble gaining entrance to college and their future job opportunities will be adversely affected.

E. L. Lamberth, assistant superintendent, said nearly 3,000 of the 10,000 pupils shut out of the six schools are without any kind of instruction. The remainder have transferred to other schools or are enrolled in private tutoring groups, he said.

Mrs. Mary D. Johnson, a Norfolk school teacher for 35 years said the pupils are experiencing "a great deal of insecurity" because of the closed schools.

The suit was brought by a group of Norfolk white parents who contend the closure law is unconstitutinal and seek reopening of the schools.

Virginia Teachers Bid Governor Seek Laws to Reopen Schools

By LAWRENCE FELLOWS

Special to The New York Times.

Times
N.Y.
New York
Fri
10-31-58
P1
N.Y. Times

RICHMOND, Va., Oct. 30— Virginia's public school teachers and administrators called today, in an overwhelming vote, for a special session of the Legislature to keep public schools open.

They expressed themselves as "gravely concerned" about school closings to avoid racial integration. And they called on Gov. J. Lindsay Almond Jr. to summon the General Assembly at an early date so that new laws could be enacted to "assure the continued operation of public schools."

Governor Almond warned the group, at its convention session tonight, that its implied acceptance of integration could cause the teachers more distress than might have been foreseen.

Earlier, at the afternoon meeting of the Virginia Education Association, the 1,113 voting delegates shouted approval of resolutions for the special session.

Their voice vote, reckoned by observers as easily 5 to 1 for adoption, came after an hour of debate.

"Some people," the Governor said in the speech he had prepared for delivery, "speak of a measure of integration, or limited integration.

"If we surrender, this process will be measured by the yardstick o fthe National Association fo rthe Advancement of Colored People.

"And what then? The next step will be to force the mixing of the faculties of our schools.

"Through political pressures these people already have forced the city of New York to transport white children from their schools into schools in Negro areas, together with their teachers.

"We will have to face the same pressures. If we yield, the harvest will be chaos and confusion destructive of the education process."

The delegates defeated repeated attempts to water down their resolutions or substitute others that would have supported the state's policy of "massive resistance" to integration.

The only motion on which the vote was counted was one by Mrs. Marion Morton of Richmond asking that some of the firmness be taken out of the teachers' stand. Her proposed substitution was tabled, 650 to 151.

S. R. Butler of Norfolk argued for the resolutions. He is principal of Northside Junior High School, which was closed by state law to 1,450 white pupils and sixty teachers to exclude one Negro assigned there by Federal coutr order.

"I personally have been opposed to integration as something not in the best interests of either race," he said. "But the price we are paying for segregation is too high."

Altogether, nine white public schools in Virginia, with a total of 13,000 pupils, have been shut down to exclude fifty-one Negro pupils.

The resolutions were adopted with the same wording that the association's directors had recommended Tuesday.

"We are gravely concerned over the closing of public schools in Virginia," they say. "We reaffirm that we will exert all possible effort toward the preservation and improvement of a system of free public schools in Virginia which we believe to be essential for the preservation of our American democracy."

Charges Denied

Governor Almond's charge that political pressures from Negro organizations had forced the City of New York to transport white children and their teachers from their schools into Negro areas has been denied by city school offiicals. William Jansen, former Supertendent of Schools, reported last year that about 1,500 pupils were being transported by bus up to two miles so they could attend mixed schools. But, he said, all were being transferred from overcrowded to under-utilized schools.

These transfers were a part of 5,000 transfers made as a result of zoning changes to further school integration.

School officials have often said that no children have been transported by bus from one school to another solely to further integration.

12 Negro Pupils Are Questioned By State Group

Arlington Quizzes Said to Probe Preferences for White Schools

Washington, D.C.

14d(1) Va.

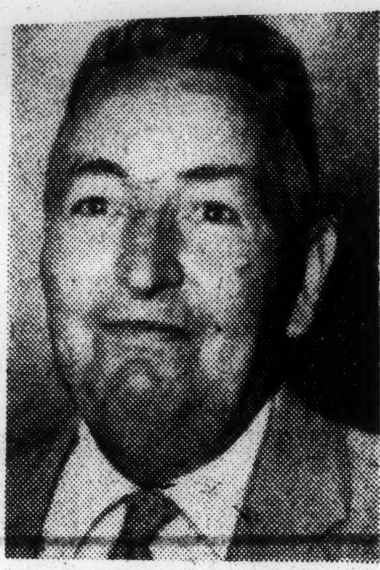
By Susanna McBee
Staff Reporter

Washington Post

Twelve Arlington Negro children were interviewed yesterday at the local office of the State Pupil Placement Board. They were asked why they had applied to white

Washington Post
Washington, D.C. 8-14-58
7-1

The Washington Post



BIRCHELL S. HILTON

HOWARD R. BOVEE

14d(1) Va.

E. Leslie Hamm Jr., 12, of 1900 N. Cameron st., Arlington, who is one of the original seven Negro students ordered admitted to white schools in the county by a Federal court decision last year, is shown with his parents yesterday after he was interviewed by representatives of the Virginia Placement board. They are leaving the Arlington Trust Co. Building, where the Placement Board maintains an office. At upper right is Birchell S. Hilton, Arlington representative of the Placement Board, who is conducting the interviews and at lower right is Howard R. Bovee, aide to School Superintendent Ray E. Reid, who asked some questions

Thurs 8-14-58

schools in the County.

The children, accompanied by their parents, attended the closed-door sessions in the Arlington Trust Co. building, N. 16th st. and Courthouse rd. The length of the interviews ranged from 9 to 21 minutes.

Meanwhile, nine Negroes seeking admission to white schools in Charlottesville yesterday took achievement tests required under the city School oBard's assignment plan. They are among 36 Negro applicants to white schools there.

21

The standard achievement test administered by Charlottesville director of Instruction A. O. Hutton included examinations in English and modern languages. Nineteen Negro elementary students are scheduled to take exams today. The 36 applicants are scheduled for personal interviews early next week.

Among Those in Decision

Four of the Arlington students interviewed yesterday were among those included in a Federal Court decision last year which ordered Arlington to admit seven Negroes to white schools. Since then, two of the original seven have decided not to attend Arlington schools.

Those interviewed were among the 31 Arlington Negro applicants who boycotted Placement Board hearings last week. They agreed to be interviewed only after local school officials promised to attend the hearings.

The parents, who were not allowed to bring their attorneys, refused to identify themselves except for Helen Faggins, 5011 N. 22d st. Mrs. Faggins brought her son, Algie, 12, who is applying to Stratford junior high.

She said her son was asked why he wanted to attend Stratford.

Interviews Continue Today

Interviews of the remaining Negro applicants will continue at 9 a. m. today. They are being conducted by Birchell S. Hilton, Arlington representative of the State Placement Board.

Arlington School Superintendent Ray E. Reid sat in on the hearings but didn't ask questions. However, his administrative assistant, Howard R. Bovee, said he asked a few questions.

Arlington school officials have said the State Placement Board is responsible for assigning students requesting transfers. State laws requires the closing of any racially integrated school.

Attorneys for the 31 students contend the Placement Board is illegal. They advised the student to attend the interviews "jut to cooperate with the local school officials." Attorney Otto L. Tucker said.

Tucker said the parents and children interviewed reported that they were asked:

- Are you seeking admission for your child because of your so-called constitutional rights? Tucker said some parents challenged the use of "so-called."
- Would you (to the student) expect to participate in any club activities? The student answered yes, Tucker said.

The attorney said some were asked whether they were applying "on their own or on advice of their counsel." He said one or two children were asked what professions they were preparing for.

Hilton said he could not confirm or deny any of the questions which Tucker gave to reporters.

"All our questions were fair," Hilton said. He said the questions were prepared by the State Placement Board, and "we asked some other questions."

Answers With Question

Reid, who was asked to confirm whether the children had been questioned on why they wanted to attend white schools, replied, "Wouldn't that be logical?"

Three parents who were on vacation did not show for their scheduled interviews. Attorneys Frank D. Reeves and James M. Nabrit III said they had asked school officials to set another hearing date for the parents.

Tucker, Reeves, and Nabrit accompanied some of the parents and children to the Placement Board office.

Among the original plaintiffs in the integration case were

Louis George Turner, 14, and Melvin Turner, 13, who appeared with their parents, Mr. and Mrs. Arthur Costely, 5132 N. 22d st. Their sister, Anita Turner, 11, also appeared. Others were Robert A. EldridgeIII, 9, 2716 S. 1st., with hisparents, and E. Leslie Hamm Jr., 12, 1900 N. Cameron st., with his parents.

In Alexandria, no decision was reached yesterday on whether parents of 14 Negro children who have applied to white schools will sign pupil placement forms.

Norfolk Negroes Hold Up Petition

14

Federal Judge Says Proper Defendants Not Listed

SCHOOLS STILL CLOSED

By The Associated Press

Commercial Appeal
Memphis
Tenn.

NORFOLK, Va., Oct. 10.—(AP)—Attorneys for 17 Negro pupils Friday withdrew a motion to reopen Norfolk's six integration-closed schools after a Federal judge said he would dismiss it because "the proper parties" were not made defendants.

Not Decided

Sat
10-11-58

Oliver W. Hill, attorney for the National Association for the Advancement of Colored People, asked by newsmen if the motion would be redrafted to name Gov. J. Lindsay Almond Jr., a defendant, said "We will have to consider it in the light of the court's remarks."

During Hill's argument in support of the motion, United States Judge Walter E. Hoffman said it would be a waste of time to order the school board—the defendant in the action—to reopen the schools as they are now under the Governor's control.

The schools were closed automatically Sept. 29 under state anti-integration laws after the school board enrolled 17 Negroes in compliance with Hoffman's 19-month-old desegregation order.

Amendment Advised

Friday's motion asked Hoffman to enjoin the school board and "all persons in active concert or participation" with it from interfering with operation of the six schools under the court's desegregation order.

"You are in effect asking an injunction against the Governor of Viraginia, who is not a party to this proceeding," Judge Hoffman told Hill.

And the judge reminded Hill that when the motion was filled Monday he had said he thought the school board had gone as far as it could, and had suggested the motion be amended to include the Governor as a defendant.

Appeal Notice Filed In Little Rock

LITTLE ROCK, Oct. 10.—(AP)—Notice of appeal was filed Friday in a suit challenging the law under which Gov. Orval E. Faubus closed Little Rock's four high schools to avoid integration.

Attorney Kenneth Coffelt said the filing of the notice with the clerk of Pulaski Chancery Court was a necessary formality before carrying the appeal to the high court. The lower court dismissed the test case, holding the act to be constitutional.

Mr. Coffelt said he did not know when the actual appeal would be ready for filing.

P. 19

RAYMOND, Miss., Oct. 10. —(AP)—Representative John Bell Williams (D., Miss.) has joined other citizens of Raymond in raising more than $300 for the Little Rock private school fund.

In a wire to Gov. Orval Faubus, Mr. Williams said he respected Governor Faubus' courage for "resisting these assaults of Federalized tyranny."

Negroes Withdraw Petition In Norfolk

The Courier
Charleston
S.C.

NORFOLK, Va (AP) — Attorneys for 17 Negro pupils Friday withdrew a motion to reopen Norfolk's six integration-closed schools after a federal judge said he would dismiss it because the proper parties were not made defendants.

Sat
10-11-58

Oliver W. Hill, attorney for the National Assn. for the Advancement of Colored People, asked by newsmen if the motion would be redrafted to name Gov. J. Lindsay Almond Jr. a defendant, said, "We will have to consider it in the light of the court's remarks."

During Hill's argument in support of the motion, U.S. Dist. Judge Walter E. Hoffman said it would be a waste of time to order the school board — the defendant in the action — to reopen the schools as they are now under the governor's control.

The schools were closed automatically Sept. 29 under state anti-integration laws after the school board enrolled 17 Negroes in compliance with Hoffman's 19-month-old integration order.

Friday's motion asked Hoffman to enjoin the school board and "all persons in active concert or participation" with it from interfering with operation of the six schools under the court's integration order.

"You are in effect asking an injunction against the governor of Virginia, who is not a party to this proceeding," Hoffman told Hill.

P1

"I don't see what good it would do to enter an order which the board cannot carry out," Hoffman said.

Hill asked Hoffman to instruct the school board that the state school closure law is unconstitutional on its face and that the board's reliance on the state law is not a valid excuse for not reopening the schools under local control.

Norfolk Educator Deplores Integration School Closings

Miami
Herald

NORFOLK, Va. —(AP)— Norfolk's superintendent of schools testified Wednesday it is very tragic" for the thousands of white pupils locked out of six integration-closed schools "to miss the education to which they are entitled."

Miami, Fla.

"These pupils will have difficulty getting into college and their job opportunities will be "greatly affected," Supterintendent John J. Brewbaker told a three-judge U.S. District Court.

Thurs 11-20-58

Brewbaker was the first witness at a hearing of a suit, brought by 15 white parents and 11 children, attacking the constitutionality of Virginia's school closure law and seeking the reopening of the six white secondary schools.

P. 4A

Defendants in the suit are Gov. J. Lindsay Almond Jr., Attorney General Albertis S. Harrison Jr., the Norfolk School Board and Brewbaker.

The closing of the schools, which occurred Sept. 29 upon the enrollment of 17 Negroes in compliance with a Federal Court desegregation order, has had a "very demoralizing effect on the teachers in the schools," Brewbaker testified. The schools have a total enrollment of 10,000.

If the schools do not open soon the teachers will leave the city, he said. Brewbaker added that the effect of the closings on the school system will be demoralizing.

In Richmond, Almond said the Norfolk school referendum indicated that even in the most critical areas "the people feel deeply that the mixing of the races is no solution to the problem—that it will make it worse.

Almond told newsmen the vote Tuesday reflects the feeling that "the people must, through every lawful process, endeavor to restore the constitutional balance between the federal government and the states."

Norfolk voted 12,340 against to 8,712 in favor of asking the governor to return six closed white schools to the city for operation on an integrated basis.

14d(1) 1958

VIRGINIA

SCHOOL BELLS

Some may be stilled if sounded for all

Afro-American

Baltimore, Md.

By CHESTER M. HAMPTON

RICHMOND — The issue of public school desegregation in Virginia remained very much alive last week as developments erupted all over the state.

Sat. 8-2-58

Gov. J. Lindsay Almond, guiding genius of the state's "Massive Resistance" policy issued a statement to state and local police to maintain order in the event of a school integration crisis in the fall. Although he made reference to the Little Rock situation, he avoided saying directly what he thought would precipitate a "crisis" in Virginia.

P. 9

The governor maintains that there will be no school desegregation in Virginia. According to existing state law, any integrated school will be closed.

* * *

ON THIS ISSUE, however, there have been two significant changes. The law, as originally interpreted, called for the entire local school system to be shut down if any one school within it was desegregated. Now the closing law applies only to the school involved.

The second change is in the governor's own interpretation of the time to close. Earlier this year, he said that no school would be considered desegregated (and therefore doomed to close) unless there were colored children physically present in a formerly all-white school (or vice versa).

This was interpreted as an appeal to lawless elements to make sure that no colored child be allowed to enter.

Now the governor is indicating that the physical presence of a child is not necessary to cause its closing. He now feels that a school will close when it is under immediate, definite and direct orders to desegregate and the city, county and state have run out of rules to evade the ruling.

* * *

THE GOVERNOR is also proclaiming himself on the side of law and order. With pride, he points to Prince Edward County where "one of the beautiful things that's grown out of this whole tragic situation is that the people of Prince Edward county have maintained their high regard for and good relations with the Negro residents."

In the phrase "people of Prince Edward," the governor obviously did not include colored people.

* * *

IN CHARLOTTESVILLE: Several events of interest and significance occurred during that past week-end.

Thirty - one colored students, to be admitted to elementary and high schools in the fall, refused to fall into a trap set for them by school board officials.

The trap was but the first of two parts. It was a requirement that a special examination be given students planning to enter schools occupied by those of "the opposite" race.

The second part of the trap was: a five - member team of investigators to interview each of the students, and their families.

That the school board expected none of the 31 students to overcome these two obstacles was evident by the absence of clause saying: "Then, they shall be admitted."

* * *

THE 20 ELEMENTARY school and 11 high school pupils were represented by Oliver W. Hill who said:

"It appeared to us the tests were discriminatory and merely an effort to evade the court's order. For that reason, we determined not to take the tests at this time but to take up the matter with the courts."

He referred to Federal Judge John Paul who originally issued the desegregation order. Atty. Hill and John Battle Jr. (city attorney who masterminds Charlottesville's moves) clashed over whether the matter should be thrashed out in a formal suit or in a three-way conference in the judge's chambers. Mr. Battle is insisting on a formal (lengthy) suit.

* * *

ALSO IN Charlottesville last week, new rifts appeared in the "massive resistance" facade.

Del. William R. Hill asked the General Assembly to leave the matter of desegregation to local option rather than state control.

He said that many of the state's massive resistance laws "have run the limit of serving the purposes for which they were designed."

He added: "It would seem to me that this (local school control) could be accomplished by an act which would give each locality an option of either pursuing a course of massive resistance or of pursuing a more flexible program."

* * *

WHILE DEL. HILL was pleading this cause of "Flexibility," the Defenders of State Sovereignty announced a mass meeting — to be held the week before school opens "if it looks as if any schools will be closed here this fall."

The purpose of the meeting, a spokesman said, is to "tell the people how to behave."

Also at the same time, the Virginia Education Association's department of superintendents met in Charlottesville and revealed that only 69 per cent of Virginia white students took two or more years of mathematics and science while 74 per cent of the colored students pursued advanced technical study.

Their study also revealed also that 62 per cent of white students skipped the study of a foreign language while only 50 per cent of colored students dodged these courses.

* * *

IN RICHMOND: Three more colored students applied for admission to a West End school. The students live in the suburban Westhampton area and they applied for entrance to Westhampton School.

Formerly, colored students were forced to travel a great distance to a downtown school by bus. Last week, three elementary school students, in the Church Hill area applied to enter the school nearest their homes.

The city school board forwarded their applications to the state Pupil Placement Board; just as in the case of the three students last week.

The new applicants live in a small colored community entirely surrounded by white homes. Ironically enough, the colored community was in the area first — 95 years ago, in fact.

* * *

IN NORFOLK: The situation in Norfolk this week is expected to parallel Charlottesville's of last week.

Norfolk, under orders to integrate 137 colored students into previously all - white schools, erected a system of barriers patterned after that in Charlottesville.

The school board scheduled a series of tests for the colored students to take. However Victor J. Ashe, who represents the children along with J. Hugo Madison, said that the Norfolk tests would also be boycotted.

In addition to the tests, Norfolk set up a complicated battery of "standards" the applicants must be judged on — but still no mention of admission after the 'standards' are met.

* * *

IN PRINCE EDWARD COUNTY, school officials are still awaiting word from Federal Judge Sterling Hutcheson on when they must desegregate their schools.

The judge took under advisement the recommendation of the board that an expert be appointed to make a study to discover the best possible time for desegregation.

NAACP attorneys, led by Oliver Hill, argued that no such move was necessary. They said that Judge Hutcheson's only duty was to set the date for desegregation in Prince Edward County.

* * *

ARLINGTON continued to be the most "colorful" area in the state, in desegregation matters.

One of the principal developments was the attempt of two white mothers to enter their children into colored schools. They represented the Defenders of State Sovereignty which announced months ago that if a white school were closed (by state law after being desegregated) then they would close colored schools.

"Tit for tat," they termed the tactic.

One of the mothers was Marian Gatterman who applied for her seven - year-old son to enter Langston Elementary School.

The other mother, unidentified, says she wants to enter her 13 - year - old daughter in Hoffman - Boston Junior High School.

* * *

"BRAINS" BEHIND the scheme is Jack Rathbone, a plumber, who heads the Tenth District Educational Association, an affiliate of the Defenders.

He, too, had a busy week. After proudly announcing "open house" for the private school his organization plans to operate, he ran into trouble.

A county official icily informed him that the "school" (an eight-room house) would have to conform with zoning and other regulations. Mr. Rathbone first gave up his plan in disgust saying that he was receiving no "cooperation" from county officials.

At week's end, however, he relented to the extent of announcing that he would permit inspectors from the state fire marshal's office, the county's electrical and fire departments, building, zoning, plumbing and child care agencies to inspect the stucco dwelling.

* * *

ARLINGTON SCHOOL officials announced that they would dump the desegregation matter into the lap of the state Pupil Placement Board.

On this issue, speculation is that they could not even it they wanted to, for their orders from the federal court make no provision for this move but stipulates that the must admit the applicants.

Courts' Orders Are Sought to Admit Negroes

Evening Star

Washington

D.C.

Students' Lawyers Ask Invalidation Of 2 Cities' Plans

Tues. 7-29-58

Federal Courts have been asked to order Negro students into white schools in Norfolk and Charlottesville, and to invalidate local pupil assignment plans the two cities have adopted to screen students seeking transfers.

P. 12

Attorneys for Negro students in the two cities, which face September desegregation deadlines, filed petitions yesterday requesting the specific assignments, and challenging validity of the assignment programs.

It is the first legal action in the two communities specifically asking enrollment of Negro students in white schools.

Desegregation decrees entered previously against both communities meant that local officials were forbidden from making any assignments based on race, but did not involve specific applications.

The new action carries the segregation fight in the two cities one step further. It asks that Negro students who are seeking admission to white schools in each city be ordered into the schools of their choice without submitting to the loca assignment tests Charlottesville and Norfolk school boards have adopted.

Arlington First

So far, Arlington County is the only community in the State where specific Negro students have been ordered into white schools. Negro students showed up at white Arlington schools last September seeking admission. After months of litigation, an order directing admission of seven Negroes to white schools was upheld by the Supreme Court in May. Five of the students are still in the county school system. Several have indicated they will show up at the white schools where the courts have ordered them enrolled when classes resume in September.

Virginia law provides for the automatic closing of any school where integration takes place. If a locality attempts to reopen a closed school with classes mixed, State school funds will be withheld from that community.

The Charlottesville petition was filed by Attorney Oliver W. Hill with Federal Judge John Jaul. It calls that city's local assignment plan discriminatory and unconstitutional, and asks enrollment of 20 Negro students in the city's white schools, the Associated Press reported. Mr Hill asked for a hearing August 11, or as soon thereafter as possible.

City to Fight

John S. Battle, jr., Charlottesville city attorney and author of the Charlottesville plan said he would file a plea opposing the Negroes' petition and contending the assignment plan is legal.

Negro applicants in Charlottesville decided last week to boycott the plan, which calls for testing of all students seeking to transfer from one school to another and personal interviews with students seeking to enter the school of another race.

The Norfolk petition was filed by attorneys Victor J. Ashe and J. Hugo Madison in behalf of 21 Negro students who have applied to enter white schools. Altogether, Norfolk has received applications from 151 Negro students seeking to enter white schools but only 21 are named in the petition.

The Norfolk plan also calls for testing and interviewing. A hearing tentatively has been set for 10 a.m. Monday before Judge Walter Hoffman in Norfolk.

Meanwhile, it appeared some Negro children would comply with Norfolk's plan.

Virginia Facing Integration Fight

Commercial Appeal

Must Choose Race Mixing Or No Schools

Memphis Tenn

THREE AREAS AFFECTED

Sun. 8-3-58

By The Associated Press

RICHMOND, Va., Aug. 2.—In one month, the chips will be down in the school segregation fight in Virginia—and the consensus is that some white schools will not open as scheduled.

Then white Virginia citizens and parents will have to face up to a decision they have hoped they wouldn't have to make: Whether to have integrated schools or no public schools.

It's like the old riddle: What happens when an irresistible force meets an immovable object?

P. 3

When schools open in Charlottesville Sept. 2 the force of the anti-segregation movement, backed by the Federal courts, for the first time will come smack up against Virginia's thus far unyielding policy of "massive resistance." Something must give.

Under Court Orders

Federal judges have ordered school boards to admit Negro children to white schools this September in three communities in Virginia: Charlottesville, Norfolk and urban Arlington County just across the Potomac from Washington.

But Virginia law calls for any school integrated by court order, or otherwise, to close automatically.

Virginia officially has not yielded part way in the segregation fight, as has Arkansas, where troops were called in last year to police integration at Little Rock's Central High School and where some areas of the state have had integrated schools for some time.

Virginia law forbids integration in the schools. Its official policy is almost open defiance. Its executive and legislative leaders have used every legal device they can conjure up to defeat the purpose of the Supreme Court desegregation decision. Its governor shows no sign of giving an inch.

'Mandate' Seen

In fact Gov. J. Lindsay Almond Jr., who won election by almost a 2 to 1 margin over Republican Ted Dalton last fall, has interpreted his victory as a mandate from the people for all-out resistance to any leak in the segregation dike.

Dalton, while embracing virtually separate schools, advocated as the best way to achieve this a compromise with the Supreme Court decision which would have led to at least token integration.

If any agonizing reappraisa is to come from the Almond Administration and from the Legislature, apparently it will not come until after some schools have been forced to close.

Segregationist 'Model' School Fails To Meet Test

Informer

Houston Texas

ARLINGTON, Va — ANP) The "model" private school which a group of segregationists attempted to open for white students in the Arlington area, failed to meet the inspection set last week.

Sat. 8-9-58

Zoning Administrator William Kennedy said the school cannot be used for classes without "extensive alterations." Kennedy said he would deny the request for an occupancy permit on the basis of reports he received from fire building, plumbing, electrical and health inspectors.

P. 1

In addition, he said the zoning code would not permit classes on the second floor of the two-story frame house.

A spokesman for the school's sponsor, the 10th district educational corporation, declined to comment on the report.

The proposed school must also obtain a use permit, if it is to begin operation and that can be obtained only from the county board after public advertisement.

14d(1) 1958

VIRGINIA

V

U.S. Courts Ready With Final Orders

Journal & Guide,
Norfolk, Va.
Sat. 2-22-58

Segregation Must Cease; Will State Abandon Schools?

Special to Journal and Guide

RICHMOND, Va.—Virginia, leading exponent of "massive resistance" schemes to defy the United States SUupreme Court, is heading for a showdown on the issue of complying with the law of the land in abolishing segregation in public schools.

The governor and some members of the General Assembly say that the Old Dominion will close its schools rather than abide by the Supreme Court's decision which outlawed racial segregation.

• • •

THE SHOWDOWN could come at the start of the new school term next September. Recent developments make it virtually certain that at least four areas in Virginia will be under final court orders at that time to begin school integration.

One is Arlington County, a Washington suburban area. The United States Court of Appeals for the Fourth Circuit affirmed last week an order directing admission of seven Negro children to white schools. A petition for Supreme Court review should be disposed of by June.

• • •

THE SUPREME Court has declined to review an order directing Norfolk and Newport News school officials to begin ending segregation in these two Chesapeake Bay industrial cities. Thus the orders are final, and Negro children are expected to turn up at white schools next fall.

As in the Norfolk-Newport News case, a Charlottesville desegregation order has become final after appeal.

• • •

IN PRINCE Edward county, the center of Virginia's most bitter resistance to integration, the Court of Appeals has nevertheless directed a prompt start. The Supreme Court will probably act next month on the county's petition for review.

Not a single Negro child has been admitted to a white school in Virginia since the Supreme Court's school decision in 1954. And Virginia has filled the role of psychological leader for the resisting Southern states.

• • •

VIRGINIA law now provides that any school in which white and Negro pupils are mixed must automatically be closed. The Governor takes control of the school from the local board and is supposed to try to negotiate the withdrawal of the Negroes.

Journal & Guide

If the Governor fails to persuade the Negroes to stay out, he may leave the school closed or return it to the local authorities.

Sat. 2-22-58

IF IT THEN reopens as an integrated school, the entire system or primary or secondary schools in that locality loses its state aid.

p. 2

There has been no necessity yet to invoke these plans. Some members of the Legislature, which is now in session, are talking about passing new laws to delay the showdown past next fall.

• • •

BUT THE COURT of Appeals' recent opinion in the Arlington case strongly indicated that no further efforts at delay would work.

It was a brief, brusque opinion. It warned school officials that they faced citations for contempt of court if they refused to obey court orders for the admission of Negro children.

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THE OPINION also ruled out any "reliance (by school officials

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'There Are Other Ways'

Pupil Spanking Bill Splits Virginians; Most Teachers 'For,' Parents Against

Post & Times Herald p 1A
Washington D.C.
Wed. 2-26-58

If Johnny can't read, teach him. If he can, but won't, spank him.

That was the tenor of a bill which passed Virginia's House of Delegates yesterday and heads now for hearings in the Senate.

It's sponsor, Del. Robert Whitehead, of west-central Nelson County, said the legislation merely spells out a teacher's common-law right to wield the rod in the interest of public school discipline.

"Foolishness is bound up in the heart of a child," Whitehead assured his fellow legislators, borrowing from the Biblical Book of Proverbs, "but the rod of correction shall drive it from him."

A quick survey of potential rod-users in the Northern Virginia schools showed a marked hesitancy. Both Arlington and Alexandria school board regulations contain specific prohibitions against the corporal punishment of recalcitrant pupils. Fairfax uses the rod so sparingly that enactment of the Whitehead bill into statute figures to deepen no tans on the little hides in that area.

Only last Saturday, the Fairfax School Board talked the matter over, deciding to continue its policy of spanking students only with parental consent.

"I do think sometimes it's necessary," commented Virginia D. Andrus, principal of the Graham Road Elementary School. "We rarely do it. When it becomes necessary, we work with the parents on the problem. We try to study the child. Spanking is not the only answer."

On the other hand, Nina Gibson, principal of Floris Elementary School, declared, "in all my life I have never spanked a child. We think there are other ways of maintaining discipline. There are a few isolated cases where (spanking's) necessary, but I don't think the new law would have much effect on us here."

Sarah H. Messick, principal of the Chesterbrook Elementary School, said she spanked two runaway boy pupils a while back and has "never had any trouble with them since."

P A 3

Blanche Wheat, principal of the Woodburn Elementary School, said simply that "we don't do it here."

Not all the parents contacted were as alarmed over the Whitehead measure as one unidentified Bren-Mar Elementary School mother who wondered over the phone if it was still safe to send her children to classes.

It was the feeling of Fairfax Circuit Court Clerk Thomas P. Chapman Jr. that "All students ought to be spanked more often. Your child, my child, any child who needs it. I went to school when they really spanked us and I never saw a child hurt, except for his feelings. The chances are we got a double dose of it, too—the first from the teacher and the second from our parents when we got home."

Post & Times

Fairfax Planning Director Herbert F. Schumann, two of whose children are in Oakton Elementary School, however, said he didn't "believe in spanking children, either at school or at home. If they need discipline, their favorite privileges should be suspended."

Herald
Wed 2-26-58

Mrs. John Nurge, of 1612 Tyler ave., mother of two teen-aged Falls Church High Schol girls, said she is in favor of spanking, but only "if needed," and then only with the foreknowledge of the parents.

Mrs. Ross Netherton, named Fairfax' "Citizen of the Year" last week, thinks the Whitehead bill can provide the public school teacher with a needed "means of enforcing discipline."

Alexandria School Board Chairman Robert C. Howard said he thought the Whitehead bill, with the publicity attendant on it, might be beneficial in the "notice it serves on the teen-aged troublemaker."

Racial Quiz Of Teachers Is Rejected

By a Staff Reporter

RICHMOND, Feb. 14—Del. James M. Thomson's proposed racial investigation of teachers and textbooks was killed today by a House Courts of Justice Subcommittee.

The subcommittee, of which the Alexandria delegate was a member, submitted to the full committee a compromise bill establishing a racial investigating committee to operate between General Assembly sessions.

It eliminated the proposed school probe and Thomson, who agreed with the compromise, said no such investigation could take place under the new committee.

The new bill also eliminates language, originally requested by Thomson, authorizing an investigation into the impact "integration or the threat of integration" would have on the general welfare of the state.

Post P-D-1
Sat 2-15-58
Washington D.C.

The measure represents a compromise of investigation bills sponsored by Del. John B. Boatwright and Thomson, both of whom headed racial committees created by the Assembly in 1956. These committes primarily investigated the activities of the National Association for the Advancement of Colored People and its attorneys, who were accused of unethical conduct.

But Thomson also launched an investigation into schools in the Tenth District and asked that the probe be continued. Opposition to such an investigation came from some members of the Thomson committee and from Gov. J. Lindsay Almond.

The new bill retains the name and powers of the old Boatwright committee — the Committee on Offenses against the Administration of Justice. It repeals the act setting up the old Thomson committee.

Bill Tightens Law On Second Offenders

By a Staff Reporter

RICHMOND, Feb. 14—A House Courts of Justice Subcommittee recommended legislation today to crack down on second offenders among juvenile criminals.

A bill approved by the subcommittee would pave the way for prosecution in adult courts of those juveniles 14 years of age and older who commit more than one felony.

The first offense would be handled as now in juvenile court. But upon the charge of a second felony, the Commonwealth's attorney could—if he thought it in the public interest—take the offender out of the hands of juvenile court and before a grand jury. If indicted, the juvenile would be prosecuted in adult courts.

The subcommittee, headed by Del. Harrison Mann of Arlington, ignored suggestions that the age division between juveniles and adults in criminal cases be reduced from the present 18 to 17 or 16.

The subcommittee did recommend legislation permitting juvenile judges to release the names of the parents of juvenile offenders and making it easier for law enforcement officials to take juveniles 16 years of age or more into custody for offenses.

Delegates Pass Bill Giving Governor Broader School Segregation Power

By Robert E. Baker
Staff Reporter

RICHMOND, Feb. 24—The House of Delegates passed the second "Little Rock" bill by a 82-7 vote today with five delegates from the Tenth District among the dissenters.

The measure, which now goes to the Senate, permits the Governor to close any schools within a school district if one of them is patrolled by Federal troops.

Post P. A-9

It goes further than the first "Little Rock" measure, already signed into law by the Governor, which requires the closing of any school patrolled by Federal troops. Both measures have the blessing of Gov. J. Lindsay Almond.

Tue 2-25-58

Voting against the bill were Dels. Omer L. Hirst and John C. Webb of Fairfax, Kathryn Stone, William L. Winston and Harrison Mann of Arlington and Republican Dels. Charlotte Giesen of Radford and J. H. Poff of Floyd.

The House passed a bill to continue a racial investigation committee after Webb took the floor to defend Mrs. Stone who was assailed during the debating stage of the proposal last Friday.

Mrs. Stone attempted to amend the bill to require the committee to hold some open hearings, but was called "an admitted integrationist" by Del. Frank P. Moncure of Stafford, and criticized by Del. James M. Thomson of Alexandria.

Washington

"One of the most respected traditions of this House—and of legislative assemblies all over the world—is that debate shall be confined to the issues before us, that personal attacks, rudeness and viciousness toward a member would not be tolerated," Webb said.

He said the incident on Friday "embarrassed the membership of the House and I am sure it has embarrassed the fine people of Alexandria and Stafford." He said Mrs. Stone had a right to submit the amendment and to have it debated on its merits. The House sat in silence.

The bill was sent to the Senate by an 81-5 vote, with Webb joining Mrs. Stone in opposing it.

In another development, Sen. Charles R. Fenwick of Arlington killed his own bill to permit counties to levy a local 1 per cent sales tax because Almond indicated he might veto it. Fenwick said he did not wish to "embarrass" Almond.

May Close Virginia Schools

High Court Refuses Racial Ruling Review

Herald P. 5A
Miami Fla.

WASHINGTON —(AP)— The Supreme Court Monday refused to review an anti-racial discrimination decision which Virginia said would result in closing all public schools in rural Prince Edward County.

The decision was given in Baltimore by the U.S. Fourth Circuit Court of Appeals. It directed U.S. District Judge Sterling Hutcheson of Richmond to fix a deadline for Prince Edward school officials to begin carrying out the Supreme Court's 1954 public school desegregation decision.

The Supreme Court's refusal to step into the case was announced in routine fashion in a long list of court orders. The court simply announced the Prince Edward County case, along with many other appeals, would not be heard by the court.

The action means the Circuit Court order for a deadline to be fixed stands.

In other actions at its first opinion session in a month the supreme court:

1—Held 8-1 that soldiers accused of Communist activity prior to their induction may not be denied honorable discharges on that ground alone.

2—Refused 8-1 to overturn a decision that a group of Hollywood actors and writers could not ask damages for blacklistings by the film industry after they declined to testify before the House Committee on Un-American Activities.

Tues 3-4-58

3—Held 8-1 that federal court rules of practice have the effect of law so far as perjury charges growing out of them are concerned.

4—Set Oct. 13 as the date for hearing arguments on a Justice Department request that it decide offshore boundaries of the Gulf states as that case now stands.

For Freedom of Schools

Editorial from The Dallas Morning News

The decision of the Fourth Circuit Court of Appeals on desegregation of schools in Prince Edward county (Va.) appears on its face to be out of line with the decision of United States District Judge William E. Miller on the Nashville (Tenn.) case.

Picayune P. 8

In the Virginia case it is held that fixing a deadline date at which desegregation must begin permits a degree of freedom of choice. The judge in the Nashville case rejected the pepper-and-salt proposal as a subterfuge not offered in good faith. Speaking of the deadline, the Fourth Circuit Court says:

Tues. 3-4-58
New Orleans La.

"This does not mean the defendants should require mixing of white and Negro children in the schools, but merely that they should abolish the requirement of discrimination. If the children of the different races should voluntarily attend different schools, this would not be violative of the constitution or of the court's orders, so long as there was no requirement of the school authorities to that effect."

In Virginia there was no proposal to establish pepper-and-salt schools (there was such a proposal at Nashville) so that there is, as yet, no precise endorsement by a federal court of the plan. But the words of the Fourth Circuit Court appear to be permissive of a system under which parents who want mixed schools may choose them, parents who want all-white schools may choose them and parents who want all-Negro schools may choose them.

The one guiding principle which can be read into all federal court decisions as they now stand is gradualism. The sum of this holding may be broken down in this fashion: (1) There must be revocation of the compulsion under which segregation in schools is mandatory. (2) Retreat from segregation may be gradual. (3) It may start with one school (as at Little Rock). (4) It may start with the first grade (as at Nashville). (5) It may be a sweeping desegregation (as at Washington, D. C.). (6) Reasonable progress, consistent with local conditions and administrative effectiveness, will satisfy the constitution and the courts.

The Nashville court lays down the rule that there must be good faith and not a mere token desegregation. The Baltimore court (Fourth Circuit) lays down the proposition that compulsory segregation may be ended without compulsory mixing of children.

No Other State So Near Court Crisis

By BENJAMIN MUSE
In the Washington Post and Times Herald

THE VAST AGITATION over the question of compliance, with or resistance to the Supreme Court's ruling against public school segregation is moving—quietly for the time being—toward a climax, and that climax is likely to be staged in Virginia.

Journal & Guide

School desegregation, which went forward briskly for two years after the court's decision of May 17, 1954, has slowed down almost to a stop. It never made much progress in any of the former Confederate states, except Texas.

Norfolk, Va. p. 1

THERE IS A GROWING feeling among southerners that the South has won the debate, that the nation is beginning to appreciate "the southern point of view," and that pressure for the desegregation of public schools is relaxing.

Sat 3-29-58

Few share Sen. Harry Byrd's expectation that the Supreme Court will reverse its decision. Few have any definite idea how the constitutional situation will be set right.

But many people in the South have settled down to the confident belief that there will be no great change in the southern system of segregated schools "in the foreseeable future." The whole structure of Virginia legislation and policy on the problem is based on that assumption.

* * *

IN COMMENTING ON THE decision not to ask the Supreme Court to review once more the case of Prince Edward County, where a Federal court has said the time has come to begin desegregation "without further delay," Gov. J. Lindsay Almond observed that the state would have had to certify that it was not taking the action merely for the purpose of delay. With unconscious irony, the Governor added:

"This raised a question of good faith."

There is, of course, no question of good faith on the part of Virginia in the matter of compliance with the court's rulings. This state's attitude is perfectly clear. It is the opposite of good faith. It is a loudly proclaimed intention to resist.

In Arkansas, Tennessee and North Carolina, small branches have been made in the segregation ramparts, and in Texas 125 school districts have been desegregated. The banner of all-out resistance is being carried by Florida, Louisiana, Alabama, Mississippi, Georgia, South Carolina and Virginia.

• • •

NO OTHER STATE IS SO near to a showdown with Federal courts as Virginia. No desegregation suit has been filed in Mississippi. In South Carolina, there is only the original and more or less dormant case of Clarendon County.

Journal & Guide p. 2

One legal action in Alabama and one in Georgia are both of recent origin and have a long way to go. The single case each in Florida and Louisiana have gone farther along the litigation road, but they are expected to see a few more rounds in court.

Sat 3-29-58

Virginia has on its hands five desegregation suits that have gone through about all of the hearings, reviews, remands and appeals in the book. It would seem impossible to avert peremptory orders to begin desegregation next September in Prince Edward County, Arlington County, Charlottesville, Newport News and Norfolk, or in some of those localities.

• • •

THE CRISIS IN VIRGINIA also will test the feasibility of closing public schools as an alternative to integration. Undoubtedly it was thought that the sacrificial devotion to segregation manifested in the school-closing laws would influence Federal court decisions.

But in the Prince Edward County case the Federal District Court said bluntly: "The fact that the schools might be closed if the order were enforced is no reason for not enforcing it."

The willingness of the public in various localities to give up public schools is also a doubtful factor. In Prince Edward, the white people are, indeed, resigned to the prospect of abandoning the public school system. But in Charlottesville, Newport News and Norfolk, such a step would arouse vehement protest. In Arlington county, it would hardly be tolerated.

In no other state has the clash between state and Federal authority so nearly reached the point where either he state must yield or the Federal courts must relent and etract. It may be that the Great Showdown will come n Virginia next September.

Almond Shy At Advising On Schools

RICHMOND, April 8 (UP) Gov. J. Lindsay Almond reaffirmed state policy on school segregation today, but declined to give local authorities specific advice on how to cope with Federal Court integration orders.

Post p. B1

Almond was asked if he had any advice to give to School Boards which are relutctant to spend large sums of money on schools with the chance that they would be closed by state law if they are forced to integrate.

Wed 4-9-58

The Governor said he would "rather not enter into" a discussion of such problems.

"Each locality certainly should know by this time the state policy," Almond said, adding tha the policy "is going to be applied, is possible.

Washington, D.C

"Each locality should assess the gravity of" the need for schools and of the possibility of integration and then make its own decission, he said.

If a locality integrated its schools with Federal Court orders but in defiance of state law, "the state will step in and act with the authority it has on the statutes," Almond warned.

However, he added that he would "make every effort to reopen that school in keeping with the policy of the state.

Almond suggested that school authorities trying to avoid integration could assign students to schools on a basis of residence and proximity to the school, "eliminating factors of race," and still maintain state segregation policies.

He also said local school authorities might assign a school to "serve all the children in a designated area," like a voting precinct, and maintain segregation.

Arlington's School Case Is Appealed

Post & Times Herald

By Robert E. Baker
Staff Reporter

Washington D.C. P. B1

Virginia asked the U. S. Supreme Court yesterday to review and reverse the vital Arlington school desegregation decision. In a petition filed by Attorney General A. S. Harrison Jr., and counsel for Arlington school officials, the State charged that Federal Judge Albert V. Bryan lacked jurisdiction in allowing Negro pupils to circumvent Virginia's Pupil Placement Act.

Thurs 4-3-58

Bryan first should have convened a three-judge court to rule on the constitutionality of the Act, the State claimed.

In a decision last Sept. 14, Bryan ordered the admission of seven Negro pupils to all-white schools by Sept. 23 and described the Pupil Placement Act—part of Virginia's "massive resistance" to school integration—as "too sluggish and prolix."

The decision put the Arlington case in the forefront of the State's five school cases. Bryan granted a stay of his order pending appeal ot the U. S. Fourth Circuit Court of Appeals which upheld him. The State is asking the Supreme Court to review the Circuit Court decision and reverse it.

Only new point in the State's latest petition is the claim that Bryan should have called a three-judge court to rule on the Pupil Placement Act.

Other points — considered and rejected by the Circuit Court—are that Bryan's decision conflicts with a ruling in another case by the Virginia Supreme Court of Appeals, violates Federal rules of procedure and wrongfully takes over the assignment functions of the school system.

If the Supreme Court agrees to review the case, arguments probably will be scheduled for October and Virginia could forestall an integration showdown for another year.

If the Supreme Court refuses, as it has consistently done in the past, then Arlington will likely face a showdown in September.

Virginia Affairs

'Most Likely, the Schools Will Close'

By Benjamin Muse

Muse

LET US consider now the physical shape of the crisis which is likely to develop next September, when the desegregation orders of Federal courts in several, or possibly all, of the five Virginia school cases may be made effective.

The Virginia law actually contemplates the possibility of direct resistance—akin to insurrection—"to preserve the peace and tranquility of the community . . ." The Act which decrees the automatic closing of any white school in which one or more Negro children are enrolled requires the Governor to take over the school. It authorizes him to make such changes "as in his discretion may be necessary," including "reassignments (of pupils) to the school or schools in which they were formerly enrolled."

Washington Post

Under these provisions, the Governor could revoke assignments of Negro pupils which had been made under Federal court orders. This procedure would differ from that of Gov. Faubus in the case of Central High School, but it would offer a similar challenge to Federal authority.

p. 2-E

THE POSSIBILITY of the Governor waving the banner of state sovereignty in this fashion was undoubtedly envisaged by the legislators who framed the bill in the feverish special session of September, 1956. But Little Rock has happened since then.

Sun 4-6-58

For all that it did to exacerbate Southern spleen—for all the votes it got for Gov. Almond and his defiance program in the election last fall—the dispatch of Federal troops to Little Rock accomplished one mightily salutary result: it demonstrated the ultimate supremacy of the Federal Government. Southerners did not miss the point.

Washington, D.C.

Even the pyrotechnic value of quasi-insurrection is at a discount now. Faubus did it first, and he has gotten about all of the segregationist glory out of it the traffic will bear. Lindsay Almond will not do another Faubus.

It is conceivable even that Virginia may retreat. When the grim moment nears and Federal court orders become peremptory, a nervous General Assembly might gather in special session and modify the legislative structure of "massive resistance."

A twelfth-hour local option provision might be enacted before the explosive school-closing sanctions are imposed. Legislators who are cool, or hostile, to "massive resistance" have predicted a special session, and Gov. Almond has not ruled out the possibility of one.

MOST LIKELY, however, in the political atmosphere of today, Virginia will close public schools—and begin the adjustment the hard way. Under the present laws, schools are to close if any racial integration is registered even in enrollment, schools are to close if the area is patrolled by Federal troops, and, if, miraculously, a public school should manage to desegregate and keep open anyway, the district is to lose its state school funds. The emphasis is more and more on the closing of public schools.

Yes, the closing of public schools—and not to be weak-kneed about it! "If devotion to the Constitution is so dead in Virginia, and the pride of race so feeble," declaims the Richmond News Leader, "that the people of this state will abandon both Constitution and race on the altar of a few public schoolhouses, we deserve the worst that may happen to us."

The initial crisis next September, therefore, may not be over a few Negro children going into previously all-white schools, but over the closing of public schools. The public demonstrations may be staged not by racist fanatics, but by people more or less on the other side—demanding that the schools be kept open.

What is now foreshadowed is the first actual trial of the experiment—long contemplated with a truculent show of confidence, but with inner anxiety, in Virginia and the Deep South—of abandoning public schools and relying upon segregated private schools for public education.

In Arlington case—

Virginia loses racial appeal

News p. 1

WASHINGTON, May 19—(AP)—Virginia today lost a last-ditch effort to prevent seven Negro students from entering Arlington County white schools. The Supreme Court refused to consider an appeal.

The refusal opens the way for enforcement of an order by U. S. District Judge Albert V. Bryan of Alexandria that the Negroes be admitted to four white schools, and brings closer the threat that the schools may be closed under Virginia's anti-integration laws.

Mon 5-19-58

Those laws say a community's public schools must close if integration occurs.

THE SUPREME COURT'S refusal to consider an appeal from Bryan's order was noted in a routine way in a lengthy listing of other petitions which the court also refused to consider.

B'ham, Ala.

The Arlington case developed into a crucial test in Virginia's socalled massive resistance to integration. Of five desegregation cases in the state, the Arlington controversy was the only one in which specific Negroes had been ordered into specific white schools.

Judge Bryan told the Arlington schools to admit the seven Negroes by last Sept. 23, but his order was held in abeyance pending appeals.

THE U. S. CIRCUIT Court in Richmond upheld Judge Bryan last Feb. 12, causing Virginia and the county school board to make a final appeal to the Supreme Court.

Under Supreme Court rules, Virginia and the board have 25 days to ask for reconsideration of today's denial. Thus Judge Bryan's order likely will not be carried out—to the point of the Negroes seeking admission at the doors of the schools—until the new school term opens next September.

In Virginia—

Negroes withdrawn from integrated Catholic school

News p. 9

Sat 5-17-58

ROANOKE, Va., May 17—(AP)—Five Negro children have been withdrawn from Catholic schools here as a result of the first interracial incident since Virginia's Catholic Schools were integrated nearly four years ago.

The five, brothers and sisters, were taken out of Roanoke Catholic High School and its adjoining elementary unit, St. Andrew's, Friday after the oldest—Vernon Dudley, a 17-year-old senior—reported he was shoved into his seat by a white student.

Dudley said the shoving occurred after the class was told the senior prom and banquet had been cancelled. The cancellations followed a protest by Mrs Harvey G. Dudley Jr., the boy's mother, against a school decision that Negroes would not be allowed to attend the dance.

B'ham, Ala.

The boy is the only Negro in the class of 29 students.

Sister Mariam, principal of the school operated by the Roman Catholic Diocese of Richmond, said she had no personal knowledge of the shoving incident but confirmed the five Dudley children were taken out of school.

14d(1) 1958 VIRGINIA

Timetable for Virginia

Post P. A. 12

Wed. 3-5-58

Washington D.C.

Prince Edward County faces one of the most difficult adjustments to school desegregation of any locality in Virginia. At the present time there is very little doubt that if an order for immediate desegregation were handed down local authorities would close the schools and provide private schools for white children. No doubt Federal Judge Sterling Hutcheson will take this into account when he fixes a date for beginning desegregation following the reaffirmation by the Supreme Court of the order of the Fourth Circuit Court of Appeals for a "prompt and reasonable start."

What is prompt and reasonable in Prince Edward County may be very different, of course, from what is prompt and reasonable in Arlington, where the adjustment problems are minimal. The Supreme Court decision encourages flexibility; what it requires in the case of Prince Edward County is abandonment of the "never" slogan and planning for gradual compliance in good faith. In Arlington, by contrast, the issue is immediate. The Court of Appeals has sustained the District Court order for admission of Negroes to previously all-white schools, and there is no reason to think that the Supreme Court will interfere with this order.

Then, barring further litigation, presumably the Rube Goldberg machinery of the Stanley-Almond plan will come into play and Governor Almond will close the schools in defiance of the wishes of local authorities. At that point something will have to give. State Senator Armistead Boothe put the question eloquently the other day when he asked members of the General Assembly:

> Do you think in the shadow of the Capitol of the United States . . . the most important capital in the world today, with all eyes of the world focused on it . . . those schools are going to stay closed? Do you think the schools those people have built and paid for are going to stay closed even with all the might of the Commonwealth of Virginia thrown into the battle?

The answer of course is no. Governor Almond, who is a good lawyer, knows it; and members of the Assembly know it. The procedure rubber-stamped by the Assembly is patently unconstitutional, and at some point Mr. Almond is going to be faced with the necessity of complying with the laws of the United States or becoming another Governor Faubus. If the Legislature and the state administration would show some appreciation of and sympathy with the problems in Arlington, they would be in a far better position to ask patience toward the problems of Prince Edward County.

Virginia Integration Order Stands

High Court Won't Review Ruling To Start

Journal P. 3

Tue. 3-4-58

Louisville Ky.

From Wire Dispatches

Washington, March 3.—The Supreme Court let stand Monday a lower-court order that Prince Edward County, Virginia, make a "prompt and reasonable start" toward ending school segregation.

The Prince Edward supervisors have voted to abandon their public schools, rather than allow any Negroes into white buildings. A corporation has been set up, with pledges of $200,000, to run a system of "private" schools if necessary.

The impression in Virginia is that Prince Edward citizens will close the schools in the face of any integration order. The case is thus potentially a crucial test in the Supreme Court's 1954 school decision.

Reference Is Routine

In the most routine way possible, the High Court refused in a one-line order to review a decision of the United States Fourth Circuit Court of Appeals directing U. S. District Judge Sterling Hutcheson at Richmond to fix a deadline for Prince Edward School officials to start public-school desegregation. The case will now go back to Judge Hutcheson.

In other major actions today the court:

1. Ruled 8 to 1 that the Army must base a soldier's discharge solely on his military record and not take into account his preinduction activities. This means that two New Yorkers who received less-than-honorable discharges on the ground of pro-Communist activities prior to induction now will get honorable discharges.

Taxing Right Uuheld

2. Upheld 7to 2 the right of a state to levy taxes on a user of tax-exempt property, including plants owned by the United States Government, when used by a private party for business purposes.

3. Threw out 8 to 1 an appeal by 23 Hollywood writers and actors seeking to sue for damages for being black-listed by the film industry after they refused to testify before the House Committee on Un-American activities.

4. Put off until the next term of court in the fall ruling on the dispute between the Federal Government and the five Gulf states on the states' offshore boundaries. Involved in the litigation is the ownership of oil-rich submerged lands.

Va. Set to Move On School Issue

Post P. A1

Wed. 3-5-58

Washington D.C.

RICHMOND, March 4 (U.P.)—Virginia officials, armed with new laws to close public schools the moment integration occurs, expressed little surprise today at their latest setback in the battle to maintain segregation.

The United States Supreme Court, Monday, refused to review a lower court order directing a "prompt and reasonable" start toward integration of the schools of Prince Edward County, one of the 4 original defendants in the historic 1954 desegregation ruling.

Gov. J. Lindsay Almond said the decision was "certainly not unexpected."

It "remains to be seen" whether the revised pupil placement plan enacted by the General Assembly will help the integration-threatened County next fall, he added.

Almond told his news conference the placement plan was amended during the current session to make it "more flexible." He added he could not predict what courses the Federal courts will take.

He said a "very grave situation" would arise if and when Negro students attempt to gain admission at Prince Edward white schools.

The Governor said the people of Prince Edward have made it clear "they can not and will not operate schools on a mixed basis."

A private group of white citizens in the rural county, where the groundwork for the case was laid in 1952, served notice they were "fully prepared" to set up their own private school system for whites if integration occurs.

Almond was given power by the General Assembly to take complete charge of any school where Negroes are enrolled with whites.

The Prince Edward case goes back to Federal District Judge Sterling M. Hutcheson in Richmond who was directed last November by the 4th Circuit Court of Appeals to order the county to make a "prompt and reasonable start" toward desegregation.

Hutcheson refused early in 1957 to set a deadline on ground the county needed "additional time" to comply with the original decision and in view of earlier state legislation to close schools and halt state financial aid when integration occurs.

Hutcheson said he would set a hearing for attorneys on both sides after the case is returned to his docket.

NAACP attorney Oliver W. Hill, who had argued last November that "not one iota of change" had occurred in the county where about 55 per per cent of the 15,000 population is Negro, said he was "very pleased" with the latest decision.

At Farmville, B. Blanton Hanbury, the president of the private citizens group, said the ruling came as no surprise. He conceded, "we've gone about as far as we can go."

He said Judge Hutcheson must set a date for integration and if a Negro shows up at a white school it would be closed.

Almond, under state law, would then try to restore segregation by talking to both the Negroes and whites. If this failed, Hanbury said, the private system for whites would go into operation. His group has raised some $200,000 in pledges to finance the school system which would hold classes in churches and private homes.

About 1200 white students are enrolled in the county's schools with about the same number of Negroes attending separate schools.

Defiant County Is Challenged: 'Integrate Or Close Schools'

Appeal P. 1

Tue 3-4-58

Memphis Tenn

By MORRIS CUNNINGHAM

From The Commercial Appeal Washington Bureau

WASHINGTON, March 3.—The Supreme Court Monday challenged a Virginia county to carry out its threat to close its public schools rather than submit to racial integration.

The court laid down its challenge as it tersely refused to review an appellate court decision directing Federal Judge Sterling Hutcheson of Richmond to fix a deadline for start of integration.

The case could provide the first test of the plan which some Southern states have adopted to close schools as a last resort defense to integration.

The county, Prince Edward, is in South Virginia in an area where Negroes outnumber whites.

Figured In Original Suit

The county was one of five defendants in the original 1950 case that led to the Supreme Court's school desegregation ruling May 17, 1954.

However, county leaders have made no move toward integration during the nearly four years since the decision. Instead, money has been raised by private subscription which county leaders say is sufficient to provide private schools for white pupils for a year.

Arrangements also have been made for teachers and buildings. And in preparation for an ultimate showdown, the county government has been appropriating school funds on a piece-meal basis.

Meanwhile, the state government in Richmond has approved program of "massive resistance" including new state laws to retain segregated schools. Key measures would authorize the governor to close a school threatened by integration or occupied by Federal troops and would eliminate state aid to any school integrated under court order.

NAACP Urged To Go Slow

Aware of the stiff resistance, pro-integration spokesmen in and out of the state have counseled the National Association for the Advancement of Colored People to "go slow" in pressing the Prince Edward case.

And the State of Virginia, in representing the county before the Supreme Court, cautioned in its brief:

"The Federal courts assume a terrible responsibility when they order the closing of public schools . . . This is the only Virginia school case where the uncontradicted evidence shows all public schools in the area will be closed if the action ordered by the United States Fourth Circuit Court of Appeals is carried out."

Virginia's Integration Problems Are Right in the Governor's Lap

Sunday Star Washington, D.C. P. 28A

Sun. 3-16-58

By MARY LOU WERNER

Star Staff Writer

When Virginia finally comes face to face with a Federal Court integration order, Gov. Almond is going to need all the harmony and good will he promoted so successfully at the recent session of the General Assembly. Changes written in the State's "massive resistance" laws by the 1958 Legislature dump the segregation problem right in his lap.

In the automatic school closing law, and in the two "Little Rock" laws, it is now up to the Governor, and the Governor alone, to say which schools shall remain closed and how long.

Prince Edward County, soon to face a desegregation deadline, no doubt would be satisfied to let the Governor keep schools closed forever rather than yield to any integration. Prince Edward's white residents claim they are ready to operate their own private schools rather than admit Negroes to white schools.

But the same sentiment would hardly prevail in Arlington County, where an integration order is expected to take effect next fall.

Dilemma for Almond

Imagine the Governor's dilemma when Arlington schools start closing. Education-minded parents are not going to be content to have their children idle for any length of time. Even at the cost of financing Arlington schools from local funds alone, there will be demands to reopen the schools with a few Negroes in white classes. These demands will confront the Governor on one hand, while on the other unyielding segregationists will recall his campaign cry that integration anywhere means destruction everywhere.

Incredible as it may seem, Gov. Almond has been put in such an untenable position at his own request. He personally called for amendment of the school closing law and passage of the Little Rock law. Only in the amended pupil placement law has the Governor been relieved of some pressure.

Gov. Almond

His is the final say.

The whole anti-integration program now shapes up something like this:

The first line of defense is still the pupil placement law. Federal Court decisions left the original placement law useless as a defense against integration, holding that Negroes did not have to use it. As amended, some of the objections raised by Federal courts have been removed. It retains the three-man pupil placement board appointed by the Governor, but the appeal procedure has been shortened considerably and the assignment standards have been simplified to correspond with those used successfully in North Carolina.

Shorter Appeal Route

In reducing the appeal procedure, the Assembly removed the Governor as one step in the appeal route. Also removed was the language "efficient schools" which other legislation defined as segregated schools.

The next line of defense is the automatic school closing law. If, by Federal Court order or through the placement procedure, a Negro wins assignment to a white school the school automatically closes while the Governor tries to reorganize the school on a segregated basis. As passed in 1956 this law allowed the local school board or local governing body to demand return of a closed school from the Governor, and required the Governor to return it. The amended version passed at the recent session provides that the Governor may use his own discretion in deciding whether to return a closed school to a locality when requested to do so by the local governing body and school board.

The change was made, according to sponsors, to plug the former loophole that would have allowed localities to operate their own school systems on an integrated basis.

It seems inconceivable in the face of existing State policy that any integration could squeeze through the first two lines of defense, unless the pressure to reopen closed schools becomes too great for the Governor to withstand. If by some remote chance he did agree to relinquish control of a closed school and return it to a locality, then the fund cut-off stands as the next integration barrier.

How It Works

Any locality that attempts to operate an integrated school automatically loses all State school funds at the elementary or secondary level, whichever is involved. As matters stand in Arlington, all State funds would be affected since the pending integration order affects both secondary and elementary schools.

That isn't all. The so-called Little Rock bills take effect if the Federal Government attempts to intercede. The principal Little Rock bill provides for the automatic closing of any school patrolled by Federal troops. It is up to the Governor to decide when the school can reopen. The other Little Rock bill allows the Governor to close any other school in a school district when he feels the use of Federal troops at one of them is apt to disrupt the orderly administration of others.

Thus, Virginia stands prepared with a whole raft of laws to close schools, and only one person to reopen them—the Governor.

VIRGINIA NOW FOCUS OF INTEGRATION CRISIS

Times New York

Sun. 5-18-58

Next Step in State's Resistance to Court Will Be Guide to South

p. 11E

By ANTHONY LEWIS

Special to The

WASHINGTON, May 17—A routine order of a Federal court this week set the stage for what may be next fall's critical test over racial integration of the South's public schools.

Judge John Paul of the United States District Court in Charlottesville, Va., directed that a longstanding decision requiring that city's schools to begin admitting Negroes take effect at the beginning of the next school term. The decision had been upheld on appeal, and the Supreme Court had declined to review it.

Judge Paul's order is significant not only for Charlottesville and for Virginia but for the whole future of school segregation in the South. It is no exaggeration to say that what happens in Charlottesville and several other Virginia communities next fall may determine the course of further Southern resistance to the Supreme Court's school decisions.

Leadership Position

This is so because of Virginia's position of leadership in the South.

Virginia was the first settled and the richest of the Southern states in colonial times, their political leader in revolution, the mother of Presidents thereafter — Washington, Jefferson, Madison, Monroe. The South looked to Virginia for leadership in the Confederacy.

Since the school decision in 1954, Virginia's role has been crucial. For one thing, the state was at the border of the North, near the seat of the Federal Government, and the Deep South felt it surely had to move no faster than Virginia.

But perhaps history is the best explanation of Virginia's leadership on the segregation issue. Harry Ashmore puts it critically in his book, "Epitaph for Dixie." Virginia, he says, "has contributed so heavily to the Southern pantheon" in the past that "its diminished leaders of today still enjoy an almost mystical regard throughout the region."

Compliant Beginning

Virginia's first reaction to the Supreme Court decision was—in the light of subsequent events—astoundingly compliant. As Mr. Ashmore recalls, Gov. Thomas B. Stanley said he would call a meeting of officials to "work toward a plan which shall be acceptable to our citizens and in keeping with the edict of the court. Views of leaders of both races will be invited."

If that theme had been maintained, the pattern of compliance throughout the whole South since then might have been very different. One Washington observer said this week:

"All it would have taken was a statement by Harry Byrd that citizens must obey the courts, no matter how unpleasant a particular decision may be, and the whole attitude of the South would have been different."

But Senator Byrd made no such statement. Six weeks after Governor Stanley's conciliatory words, the orders went out from the Senator for what he later termed "massive resistance" to any school integration in any part of the state, whether a particular section wanted it or not.

Just why Senator Byrd chose the road of resistance is a matter of speculation. Some would say that, even though he had never made much politically of the racial issue, he found the Supreme Court's orders personally intolerable. Mr. Ashmore suggests that he needed an issue "to set the woods on fire" and head off growing Republican and insurgent Democratic strength.

Stack of Laws

In any case, under Senator Byrd's leadership, Virginia has enacted a stack of laws designed to head off mixed schools. The process began with a constitutional amendment allowing the state to pay the tuition of children withdrawn from integrated schools and sent to private schools, but that was considered too mild and was shelved.

The chief statute used so far sets up a three-man pupil placement board to assign every student in the state to a public school. The basis of assignments includes efficiency and the public welfare. The Legislature made plain that that meant no integration, and there has been none.

The Federal courts have now eliminated the pupil placement act as a serious delaying device. In Charlottesville, Norfolk, Newport News and in Arlington County white schools have been ordered to admit Negroes regardless of the act.

All these orders are expected to be final by next fall. Negro children will present themselves for admission to white schools in these communities. Under the threat of punishment for contempt of court, the local authorities will have to admit them.

Then the next phase of "massive resistance" is scheduled to get under way. Virginia laws call for the Governor to close down any school that is integrated. He may later reopen them. But if even one elementary school is racially mixed, all in that district lose their state financial support. All high schools are similarly affected if one is integrated.

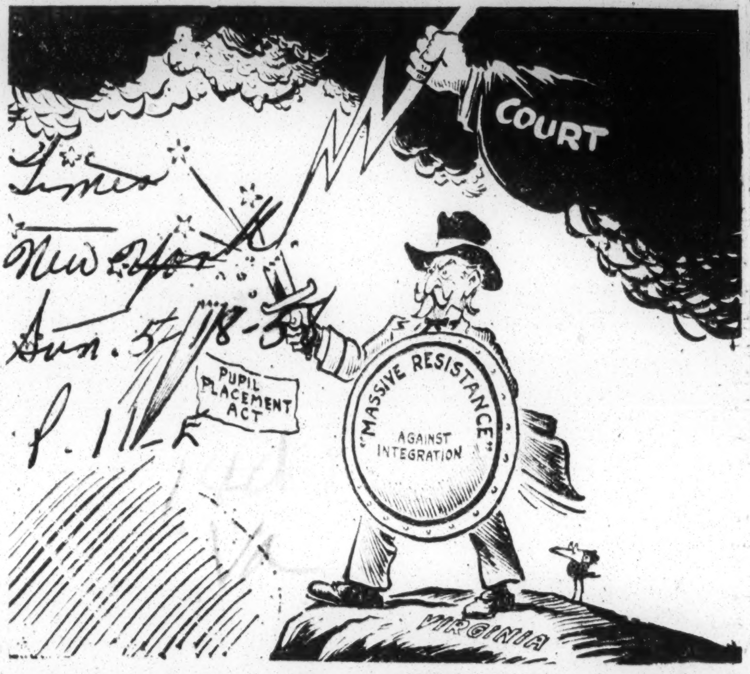
What, then, is the prospect? The Washington Evening Star, a conservative newspaper with no special admiration for the Supreme Court's decision, concluded this week in an editorial: "Massive resistance, we think, has just about reached the end of its road."

The areas of Virginia facing integration next fall are not those strongly exercised about the matter. It is felt, therefore, that there will be heavy public pressure on the Governor, J. Lindsay Almond Jr., to let the schools reopen after he once shuts them down—as he must under state law.

If the schools do reopen, the only effect of the massive resistance program of legislation will be to deny those communities state school aid. The Star concluded: "All that it would accomplish would be to create bitterness, and justifiably so, among the taxpayers in the affected communities."

Senator Byrd and his subordinate political leaders are determined and resourceful men. They may attempt to call a special session of the Legislature this summer to draft new legal delaying devices. There is always the possibility—though it appears a remote one at this time—of physical resistance of the Little Rock variety.

'SHATTERED SWORD'



Times New York Sun. 5/18-58 p. 11E

Seibel in The Richmond Times-Dispatch

Segregation Group Gets School Setback

Sunday Star p. 17-A

Washington, D.C.

Sun. 5-11-58

The Arlington County School Board yesterday dealt a temporary setback to a 10th District group which would operate a segregated private school system if the county is forced to integrate classes.

The 10th District Education Corp. asked the board to rent it the old Dolly Madison Junior High School on Shirley highway, now used by seventh graders, for possible use as a "school by television."

The pro-segregation group said it is compiling information on the cost and feasibility of teaching segregated classes by way of closed circuit television.

The board said, however, that the building, operating at 25 per cent of its capacity, would not be disposed of until about 1960, at which time the education group would be considered "like everyone else" as a possible purchaser.

The board heard a stormy debate over the merits of cumulative records kept on high school students.

Miss Cathryn Cook, guidance supervisor for the schools, conducted a panel discussion by Arlington educators, which explained the cumulative record system. The teachers pleaded for its continuation.

Opponents of the present confidential records kept on students objected to certain phases which concerned personality and family background data. They maintained that the information should be open to parents.

Miss Cook explained that the records are used as a reference source for school officials to answer inquiries from colleges and employers.

School officials said that only teachers and school administrative personnel have direct access to the "summary of growth" cards and other items in the students' personal record folders, but that all data is discussed with parents in conferences.

The school board's liberal minority members, Chairman James G. Stockard and Barnard Joy, urged at the conclusion of the public hearings that they felt the cumulative records system should be left unchanged. Two conservative board members, Mrs. Helen Lane and Robert Peck, questioned many aspects of the present system. Board member L. Lee Bean did not participate in the discussion.

Must Admit Seven Students In Fall

Daily World p. 1

1440

Va

Atlanta Ga.

By HARRY MURRAY

WASHINGTON — (INS) — The Supreme Court rejected Monday the final appeal by Arlington County, Virginia, for a delay in carrying out school integration and set the stage for a showdown next fall.

Under Federal Court orders, the county must admit seven Negro students at the fall term. But under the state's "massive resistance" laws, any schools practicing integration may be closed.

Tues 5-20-58

A one-line announcement by the Supreme Court upheld the Federal Court orders. The case was more specific than any previous court order on integration because it specifically names the seven students and the schools to which they are to be admitted.

PTA OPPOSING

With the threatening crisis in its public school system, there already have been several developments in Arlington, a suburb of the nation's capital.

The Northern District of Virginia Parent-Teacher Association is on record opposing the closing of schools through automatic application of the state laws opposing mixing of Negro and white students.

Segregationist groups have been working to set up "an effective standby private school organization" in the county.

SUITS PLANNED

Several taxpayers have indicated they will immediately file suit if any tax money is used for private schools, or if Virginia denies funds to Arlington County because it obeys the federal court order.

In other decisions today, the Supreme Court:

—Outlawed a "dual rate" system for ocean steamships carring cargo between Japan and the U. S. Gulf and Atlantic ports. By a 6 to 3 vote, it held illegal a maritime board order setting up different rates for members and non-members of the Japan-Atlantic and Gulf Freight Conference.

p. 4

—Ruled, 5 to 3, that a state may try a person for separate offenses arising out of the same crime without violating the Constitutional guarantees against double jeopardy. The case involved William Hoag, convicted in New Jersey of armed robbery.

Daily World

—By a 7 to 2 ruling, threw out the murder conviction and death sentence of Frank Andrew Payne, a young Arkansas Negro, on grounds that he was denied his legal rights by police and his confession was obtained by coercion.

NO DEATH

Tue 5-20-58

—Rejected, 5 to 4, the death sentence appeal of Arthur Thomas, an Arizona Negro who claimed he also was coerced into confessing the murder of a woman storekeeper.

—Overturned, in a 5 to 4 decision, an Interstate Commerce Commission order granting railroads in Utah the same freight rate increases for shipments within the state as allowed for interstate shipments in April, 1953.

Court Pushes Virginia To Integration Brink

1440

WASHINGTON (AP)—The Supreme Court has nudged Virginia a big step nearer a showdown on its policy calling for closing of public schools rather than desegregating them.

Without comment, the court rejected Monday a last-ditch effort by Virginia to stave off an order for admission of seven Negroes to white schools in Arlington County, just across the Potomac River from the national capital.

Constitution p. 1

By refusing to hear the case, the high court left the way open for enforcement of the order issued by U. S. District Judge Albert V. Bryan of Alexandria.

Tue 5-20-58

Atlanta Ga.

Judge Bryan's order called for admission of the seven Negroes at the beginning of the school term last fall, but he held up its effectiveness pending appeals. The U. S. Court of Appeals in Richmond last Feb. 12 upheld Bryan.

The Supreme Court's action apparently left Virginia with only one more legal move available—to ask the high court to reconsider its action. The time limit for such a plea is 25 days.

Of five desegregation cases involving Virginia, the Arlington case may provide the first showdown on Virginia's various segregation laws. Judge Bryan's order is the only one so far which has named the Negroes to be admitted to white schools and specified the schools.

Virginia's anti-integration laws say a community's public schools must close if integration occurs. And if schools are reopened on a desegregated basis, state aid is to be cut off.

Constitution p. 6

Virginia and the county school board, which appealed from the Court of Appeals' ruling upholding Bryan, raised various legal contentions. Among other things, they contended Judge Bryan erred in taking over the function of a local school board before the board had been given a chance to use its judgment in making pupil assignments.

Tue 5-20-58

Atlanta Ga.

SHIP RATE RULING

Judge Bryan did not rule out as invalid a Virginia pupil placement law. But he did say that Negroes could not be forced to use the law because submission to it would amount almost to assent to a racially segregated school.

In other actions, the high court:

1. Outlawed in a 6-3 decision a dual rate system of transportation charges used by scores of steamship operators groups. The system provides cheaper rates to shippers who sign an exclusive patronage contract.

2. In a case turning on the issue of double jeopardy, upheld 5-3 the conviction of William Hoag on an armed robbery charge in connection with a 1950 holdup of a Fairview, N.J. tavern. Hoag was accused of robbing three people at the tavern, tried and acquitted. He was put on trial again, accused of robbing a fourth person, was convicted and sentenced to 5 to 7 years.

3. Set aside the conviction of Frank Andrew Payne, 19, an Arkansas Negro convicted of robbery-murder of his white employer. The majority in a 7-2 decision said a confession by Payne may have been coerced by a threat of mob violence. Justices Clark and Burton dissented.

4. Threw out the contempt of Congress conviction of Harry Sacher, New York attorney in Communist causes. The contempt charge was based on Sacher's refusal to answer questions put to him in 1955 by two members of the Senate Internal Security subcommittee. The high court held that questions about Communist affiliations were not clearly pertinent to the subject matter the two senators were authorized to investigate. It was in unsigned opinion to which Justices Clark and Whittaker dissented.

14d(1) 1958

VIRGINIA

SCHOOL SHOWDOWN IN VIRGINIA

Times p. 7-E

By JOHN LEARD

Special to The New York Times.

New York

RICHMOND, Va., March 8—Prince Edward County is a tobacco, red clay and college section sixty miles southwest of Richmond.

Its activities center in Farmville, a quiet trading town in a busy farming area. It is also in the heart of Southside Virginia—a dozen counties spreading through sometimes flat, sometimes slightly rolling country above the North Carolina line. This is Virginia's tobacco country where Negroes in some areas outnumber whites. This is also the center of Virginia's resistance to racial integration of the public schools.

Sun 3-9-58

In Prince Edward there are about 9,500 whites and 6,850 Negroes. But in public schools Negro pupils outnumber the whites, 1,715 to 1,531.

Southern Tradition

The relationship of white and Negro is traditionally Southern. Whites and Negroes live near each other quietly and mingle only on business. They attend separate schools. They talk about school problems and court decisions chiefly with members of their own race. County and town officials are whites; whites pay the bulk of the taxes and resist changes in the pattern of living.

This is the base from which Virginia's original integration suit developed. The suit was one of those decided when the United States Supreme Court decreed in the 1954 decision that segregated schools were unconstitutional.

The Virginia case began in April, 1951, when students at Moton High School for Negroes went on strike, contending that their facilities were inadequate. County officials authorized a twenty-one-classroom, two-story, $840,000 replacement for Negro students.

Subsequently, Negroes filed a suit making a legal shift from the goal of equal facilities to a goal of integration. Because the new Moton High School had been built, whites were particularly resentful of the change.

The whites' continuing aim has been to avoid integration. For their part Negroes concerned with the suit keep hoping that the whites will yield.

In this case, as in others pending in the state, all moves have been calm and legal. There has been no violence.

Now, almost four years after the desegregation decision, Virginia has blocked integration everywhere by taking all possible appeals to gain time and delay a show down, and by legislating a series of defenses.

Virginia's Laws

Under laws passed during a special session in 1956, Virginia can close a public school as soon as it integrates. Similar schools in the locality also would close. State funds for operating the affected schools would be withheld. Tuition grants toward private schooling would be made available to the parents of affected pupils, white or Negro.

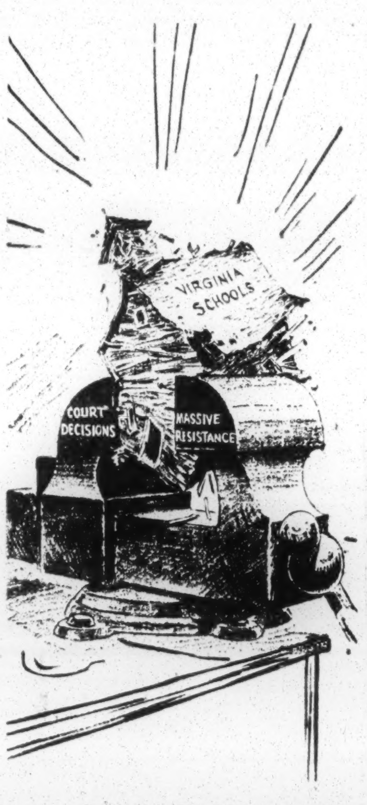
The Governor subsequently would attempt to reorganize the closed school and reopen it on a segregated basis. If this failed, he could be asked by the locality to let it operate the school in any way it chose.

Until action by the session of the Legislature ending today, he would have been required to release the school to the locality, even if it wanted to operate it with its own local funds on an integrated basis. But the Legislature, seeking to close any chinks in the state's armor against integration, voted that the Governor would decide whether to release the school.

The Legislature also continued the provision to withhold state funds from integrated schools.

Monday's decree by the United States Supreme Court let stand a decision directing that a deadline should be set for Prince Edward to start desegregation. This was expected, but its importance was that it moved the showdown in Prince Edward a step nearer.

A Southside County Is Now the Focus



Crockett in The Washington Star

"Caught in the middle."

The order from Washington arrived in the Fourth Circuit Court of Appeals on Friday. It is expected to be remanded to the Federal District Court here next week. There, Judge Sterling Hutcheson, who earlier had directed Prince Edward County to start desegregation without setting a date, will be required to set a deadline.

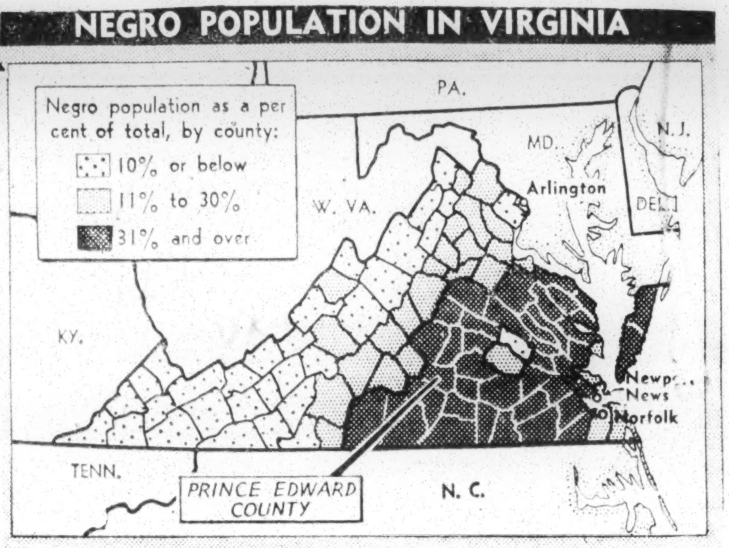
Lawyers for the Negro pupils will take the initiative but have not yet conferred. Their request will lead to the setting of a hearing and the eventual decision.

Observers expect Prince Edward, like Norfolk, Arlington Charlottesville and Newport News, to get an order to start desegregation by September of this year.

The state has twenty-five days to ask for a rehearing in the Prince Edward case, but has not yet decided whether to ask for it.

Whites Prepare

NEGRO POPULATION IN VIRGINIA



What makes the Prince Edward case of particular interest is that it was Virginia's first. Further it is the only one in which the county plans to close all the schools if integration comes.

If a school becomes racially mixed, white residents are prepared to set up their own system of private schools. Their organization, the Prince Edward Educational Association, organized more than two years ago, raised funds and pledges, lined up teachers and arranged for rooms in church buildings, warehouses, fraternal halls and homes on an if-and-when-needed basis.

B. Blanton Hanbury, a lumberman and president of the Educational Association, said this week:

"This would be only a stop gap if it comes to that but we'll have some schools—and good schools."

Negroes have made no similar arrangements, partly, some indicate, because they feel it would weaken their position. Commenting recently, the Rev. W. Francis Griffin, Farmville leader of the National Association for the Advancement of Colored People, said:

"We now realize the schools will be closed if the judge decides for us [but] we'll keep trying."

On both sides there has been quiet determination. The expectation is that a specific court directive would merely continue the same attitude.

Further delays are considered possible through additional legal tests. The legislators at the current session made several changes in the Pupil Placement Law.

Delaying Action

Under this law, a three-man state board assigns pupils for such non-racial reasons as aptitude and availability of transportation. With this arrangement the state has avoided integration, but the law has been ruled invalid in several court decisions. Some legislators explained that their revisions were intended to breathe new life into the law with the possibility of setting up a new series of time-consuming legal cases and rulings.

The Legislature, in its determination to avoid desegregation is certain it has public support. An indicator was last year's gubernatorial election. In it Gov. J. Lindsay Almond Jr., former judge and Congressman, who as attorney general argued Virginia's side in several segregation cases, campaigned for "massive resistance" to integration steps.

He defeated State Senator Ted Dalton, a Republican who was urging local option, by a statewide margin of nearly 2 to 1. The margin was much larger in the tobacco country.

Against that background Governor Almond was asked this week to comment on the Prince Edward situation. He said:

"It should be clearly manifest that the people of Prince Edward have spoken with finality that they don't want and cannot operate their schools on an integrated basis."

Virginia Not To Appeal [illegible] Edward Case

Post & Times Herald

Wash. D.C.

Fri. 3-14-58

RICHMOND, March 13 (AP) Gov. J. Lindsay Almond said today Virginia has decided against asking the U. S. Supreme Court for a re-hearing on the Prince Edward School segregation case.

P. 14-A

Almond told his press conference that decision against seeking the re-hearing had been reached by Attorney General Harrison and counsel for the southside county.

Almond said a petition for re-hearing would have to show some new development to warrant the move since the high court upheld the U. S. 4th Circuit Court of Appeals.

The Appeals Court had reversed Richmond Federal District Court Judge Sterling Hutcheson and directed him to set a definite date for the county to comply with his earlier desegregation order.

Arlington Segregation Case Stayed

Post & Times Herald, P. A11

RICHMOND, March 15 (AP) Judge Simon E. Sobeloff of the United States Fourth Circuit Court of Appeals has granted a 20-day stay of a lower court order requiring four Arlington County schools to admit seven Negroes.

Sun. 3-16-58

The stay was granted to allow Virginia and Arlington County time to appeal the order to the United States Supreme Court.

On Feb. 12 the Circuit Court upheld the order issued last September by Alexandria Federal District Judge Albert V. Bryan.

P. A11

Virginia Federal Judge Refuses To Set Date For School Integration

1420

By VICTOR CALVERTON

Call B7

Fri 3-21-58

Kansas City Mo

RICHMOND, Va. — (ANP) — Federal Judge Sterling Hutcheson, who has steadfastly refused to set a date for Prince Edward County, Va., to begin desegregation of its public schools, was still unable or unwilling to give any idea of when, if ever, he would set a definite date for desegregation.

The judge who has always voted against any case seeking immediate compliance with the Supreme Court's decision, is faced with the responsibility of taking action one way or another on the Prince Edward case since the U. S. Supreme Court has declined to review a Fourth Circuit Court of Appeals decision requiring Hutcheson to set a time limit for the Virginia county desegregation process.

The state administration has been contending in recent cases than at order to compel compliance with the desegregation decision of the Supreme Court will force the closing of the schools in Prince Edward County, Hutcheson must now make another decision on the case but he was unable last week to indicate when the case would reach his docket.

The Prince Edward County case is one of five cases argued before the U. S. Supreme Court that resulted in the historic desegregation decision of May 17, 1954. Hutcheson declined to set a desegregation deadline in an opinion Jan. 27, 1957. This decision was appealed by the plaintiffs to the circuit court which said Hutcheson should set such a deadine. When Virginia asked for a review of the case by the U. S. Supreme Court, it was denied.

Virginia Affairs

No Other State So Near Court Crisis

By Benjamin Muse

Post and Times Herald

Washington D.C.

P E 2

Sun. 3-23-58

THE VAST AGITATION over the question of compliance with or resistance to the Supreme Court's ruling against public school segregation is moving quietly for the time being toward a climax, and that climax is likely to be staged in Virginia.

Muse

School desegregation, which went forward briskly for two years after the court's decision of May 17, 1954, has slowed down almost to a stop. It never made much progress in any of the former Confederate states, except Texas.

There is a growing feeling among Southerners that the South has won the debate, that the Nation is beginning to appreciate "the Southern point of view," and that pressure for the desegregation of public schools is relaxing.

Few share Sen. Harry Byrd's expectation that the Supreme Court will reverse its decision. Few have any definite idea how the constitutional situation will be set right.

But many people in the South have settled down to the confident belief that there will be no great change in the Southern system of segregated schools "in the foreseeable future." The whole structure of Virginia legislation and policy on the problem is based on that assumption.

IN COMMENTING on the decision not to ask the Supreme Court to review once more the case of Prince Edward County, where a Federal court has said the time has come to begin desegregation "without further delay," Gov. J. Lindsay Almond observed that the state would have had to certify that it was not taking the action merely for the purpose of delay. With unconscious irony, the Governor added:

"This raised a question of good faith."

There is, of course, no question of good faith on the part of Virginia in the matter of compliance with the court's rulings. This state's attitude is perfectly clear. It is the opposite of good faith. It is a loudly proclaimed intention to resist.

In Arkansas, Tennessee and North Carolina, small breaches have been made in the segregation ramparts, and in Texas 125 school districts have been desegregated. The banner of all-out resistance is being carried by Florida, Louisiana, Alabama, Mississippi, Georgia, South Carolina and Virginia.

NO OTHER STATE is so near to a showdown with the Federal courts as Virginia. No desegregation suit has been filed in Mississippi. In South Carolina, there is only the original and more or less dormant case of Clarendon County.

One legal action in Alabama and one in Georgia are both of recent origin and have a long way to go. The single case each in Florida and Louisiana have gone farther along the litigation road, but they are expected to see a few more rounds in court.

Virginia has on its hands five desegregation suits that have gone through about all of the hearings, reviews, remands and appeals in the book. It would seem impossible to avert peremptory orders to begin desegregation next September in Prince Edward County, Arlington County, Charlottesville, Newport News and Norfolk, or in some of those localities.

THE CRISIS IN VIRGINIA also will test the feasibility of closing public schools as an alternative to integration. Undoubtedly it was thought that the sacrificial devotion to segregation manifested in the school-closing laws would influence Federal court decisions.

But in the Prince Edward County case the Federal District Court said bluntly: "The fact that the schools might be closed if the order were enforced is no reason for not enforcing it."

The willingness of the public in various localities to give up public schools is also a doubtful factor. In Prince Edward, the white people are, indeed, resigned to the prospect of abandoning the public school system. But in Charlottesville, Newport News and Norfolk, such a step would arouse vehement protest. In Arlington County, it would hardly be tolerated.

In no other state has the clash between state and Federal authority so nearly reached the point where either the state must yield or the Federal courts must relent and retract. It may be that the Great Showdown will come in Virginia next September.

Almond Says Webb Exaggerates In Predicting U. S.-Operated Schools

Post + Times Herald Washington D.C.

Fri. 3-28-58

A 3-A

RICHMOND, March 27 (Special)—Del. John C. Webb was exaggerating when he predicted Federal operation of Northern Virginia schools if the state closes them, Gov. J. Lindsay Almond said today.

Almond said the Fairfax Delegate had "very much exaggerated the situation" in a speech Tuesday to the Fairfax County Federation of P-TAs.

(Webb said there that Virginia must retreat from its "massive resistance" strategy or face Federal operation of schools if the state closes them because localities integrate.

(Closing of the schools would lead to thousands of suits by taxpayers and "mothers will march on Richmond in protest," Webb said.)

Almond observed that Webb thus "not only predicted dire consequences but suggested them to fertile ears." Almond said that while he was not calling Webb an integrationist, he judged from his statements that "he favors mixing of the races in public schools."

In another news conference subject, Almond announced the names of five members of the General Assembly who are to meet with five Marylanders and attempt an out-of-court settlement of the dispute over Potomac fishing rights.

They are: Sens. Robert Y. Button of Culpeper and Mills E. Godwin Jr. of Suffolk and Dels. Howard H. Adams of Accomack, Edward E. Lane of Richmond and John Warren Cook of Mathews.

Almond Asks Change In Jobless Aid Bill

RICHMOND, March 27 (UP) Gov. J. Lindsay Almond today called for an amendment to make optional with the states President Eisenhower's proposed extension of state unemployment compensation with federal funds.

Almond said he understood the measure, now before the House Ways and Means Committee, would have the Federal Government distribute the funds even if the state felt they were not necessary.

The states, he said, would have to collect increased federal unemployment taxes from employers to repay the federal money.

Almond said he wired Rep. Burr P. Harrison (D-Va.), a member of the Ways and Means Committee, urging that the funds be restricted to states that elect to receive them.

Without committing himself, Almond said it could be possible that Virginia would not need the extra funds, making the federal money a "dole."

Churches to be used—

One Virginia County ready to run private white schools

News
P. 42
Birmingham
News
Fr. 6-6-58

RICHMOND, Va., June 6—(AP)—Of five Virginia localities faced with court-ordered public school integration, only Prince Edward County appears ready now to try to run privates chools for white children.

If similar, well-advanced plans exist elsewhere, they are a secret.

There have been no reports of planning for private education of Negro students.

THE DATE HAS NOT been set for desegregation of Prince Edward County schools, in Southern Virginia. But Barlington County, just across the Potomac River from Washington, and Charlottesville, 50 miles west of Richmond, have been told to desegregate in the Fall. The port cities of Norfolk and Newport News will find out shortly if they have the same timetable.

Virginia law calls for the immediate closing of an integrated school.

"I know—we all know—that some Negroes will try to enter whites chools in September," said Gov. J. Lindsay Almond Jr. this week. "We'll face that situation when it arises."

Prince Edward County's board of supervisors has said it will not appropriate money for integrated schools.

Prepared to operate private schools there is the Prince Edward County Educational Corp. The organization has arranged for classrooms, mostly in church buildings, and for teachers. Corporation spokesman Joseph Barrye Wall Jr. thinks $220,000 in expired pledges "will be renewed and perhaps increased" when the time comes.

ALMOND HINTED that citizens in areas where public schools face integration should begin planning to use state tuition grants for educating children in nonsectarian private schools. Such schools, however, could handle only a fraction of the public school students.

Almond said yesterday public school facilities cannot be leased to private groups for segregated education. He cited an earlier ruling by a federal judge that Virginia cannot lease Seashore State Park for private, segregated operation. The state shut down the park several years ago because of a desegregation lawsuit.

Could public schools be leased to private groups for integrated schooling? The governor wouldn't comment on this.

Two other groups, one in northern Virginia and the other here, have begun planning for private white school systems. They have announced no concrete results.

Charlottesville PTA Polled On Race Mixing

News & Courier
P-3-B
Sat 6-14-58
Charleston S.C.

BY ROULHAC HAMILTON
Washington Correspondent

WASHINGTON — The Washington Post & Times Herald Friday gave big-story display to an article purporting to show a majority of a parent-teacher association favored integration of the Venable school for white pupils at Charlottesville, Va.

When carefully read apart from the three-column, three-line, top-of-page headline, however, the story showed that in fact, 39 per cent of persons queried in a straw poll of the PTA indicated willingness for "a measure of integration" rather than a shutdown of school.

Of the others, 28 per cent favored closing the school, 30 per cent did not reply and 3 per cent indicated no preference.

STORY FEATURED

The headline, in the "lead" spot at the right hand side of the front page of the second section of the pro-integrationist Post, said: "Charlottesville PTA Votes 4-3 In Favor of Some Integration."

A single-column deck leading into the story added, "Parents Polled by Mail Oppose School Closing."

The story was written locally by Robert E. Baker, a Post staff writer specializing in anti-Southern, pro-integrationist articles. The lead said:

"Parents in a white Charlottesville elementary school have voted 177-128 in favor of accepting a 'measure of integration' rather than see the school close under Virginia's anti-integration laws."

The full percentage figures, showing that 30 per cent failed to reply, appeared in the body of the story.

The Venable Parent - Teacher Assn. is headed by Mrs. Lester R. Wilson, wife of a physician formerly of Charleston, S. C. The questionnaire was mailed after United States Judge John Paul ruled some time ago that the city, which is the seat of the University of Virginia, must begin desegregation next fall.

Baker's story mentioned that state law requires the automatic closing of any school in Virginia which becomes integrated, giving the governor power to reopen any unit shut down. If he orders a school reopened, it will receive no state support if it is integrated.

LEFT TO READERS

Baker left to the perception of his readers, however, to determine that the PTA poll thus was meaningless. He previously had reported that the results of the poll would be turned over to the Charlottesville School Board before it began considering applications of 30 Negroes seeking admission to white schools in the university city.

The questionnaire asked parents to choose between "a measure of integration" or "closed public Venable school." There was no definition of what was meant by "a measure" of integration.

Baker's story reported that Robert Ready, who ran on a segregationist platform for city council earlier this year and lost had criticized the PTA questionnaire because, he said, "there is no such thing as partial integration."

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2 VIRGINIA CITIES GET PUPIL ORDERS

New York Times
N. Y.

U.S. Judge Bids Norfolk and Newport News Put End to Segregated Schools

Sun. 6-8-58
P. 50

Special to The New York Times.

NORFOLK, Va., June 7—A show-down moved closer today on the racial integration of public education in Norfolk and Newport News.

Federal Judge Walter E Hoffman put into effect his February, 1957, order that Negroes be admitted to the cities schools.

The ruling had been held in abeyance pending state appeals to higher courts. The courts upheld Judge Hoffman's order.

Under state law, a public school accepting a Negro's application for admission is to be closed.

Although today's ruling clearly indicates that Norfolk schools must integrate by the fall semester, there is some doubt about its application in Newport News.

On July 1 that city consolidates with Warwick, under the name of Newport News. State lawyers served notice today that they would argue the legality of the ruling as it applies to the new city and the new school board that will serve it.

Applications Awaited

At a thirty-minute hearing today, Judge Hoffman said that further court action would await specific applications to enter specific schools. It is expected that such applications will be made in Norfolk within two weeks.

There were ninety-six plaintiffs in the suit against the Norfolk school board. Although there have been no applications by Negroes to enter white schools, a recent survey indicated here that all four of the city's white high schools are closer to the homes of some eligible Negroes than are all-Negro schools.

This would indicate that the high schools will receive applications.

The possibility of the closing of public schools has led to a survey of existing private schools.

Private Facilities Limited

The survey, conducted by The Norfolk Ledger-Dispatch, showed that only 650 additional white pupils could be accommodated, even if the private schools expanded their facilities and staffs. About 31 per cent of the public school pupils are Negroes.

There are fifteen nonsectarian private schools in the city, with a 1957-58 enrollment of 1,307.

Norfolk public schools expect an enrollment of 45,900 students in the fall. This is an increase of about 1,300 over 1957-58. A breakdown of the predicted enrollment shows 28,488 in elementary schools, 10,980 in junior high schools, and 6,512 in high schools.

The Roman Catholic schools in the city, most of them at capacity this year, would be excluded from taking public school pupils under the state's plan for tuition grants. These could be paid for pupils only in private, nonsectarian schools.

Norfolk Area Faces School Integration

News and Courier
Charleston S.C.

NORFOLK, Va. (AP) — Counsel for Norfolk and Newport News school boards agreed Saturday a Federal Court order knocking down racial bars in their public schools is now in full force and effect.

Sun. 6-8-58

The effect of the agreement, announced at a hearing before Federal District Judge Walter E. Hoffman, means that Hoffman's 16-month-old desegregation order is effective Aug. 15. The order becomes operative with the opening of public schools in September.

P. 12-A

Hoffman said no plan for integration has been submitted to the court by either of the two Virginia coastal cities and "I doubt that any plan could be, under present state law."

In view of the absence of any plan, he said, there is nothing for the court to do until Negroes make specific applications for admission to white schools.

Negro attorneys asked the judge last month for an early hearing on their motions that he set a new effective date for the old order. At that time he said he did not know what further action was needed in view of the U.S. Supreme Court's refusal to review the decision, "but I'll be glad to hear you gentlemen."

Hoffman also expressed doubt that the desegregation order would apply to Warwick, which will be consolidated with Newport News July 1. He said he assumed the plaintiffs will seek relief in the entire consolidatd city.

In a similar case involving Prince Edward County schools, Federal District Judge Sterling Hutcheson set July 14-15 in Richmond to hear arguments on a motion that desegregation begin in September.

Mix Schools, Don't Close Them, Parents Ask

Miami Herald
Miami Fla.
Sun. 6-15-58
P. 4A

CHARLOTTESVILLE, Va. —(UPI)—Parents of children in a white school threatened with admission of Negroes have voted to permit a "measure of integration" rather than close the public school, it was disclosed.

Parents, from the Venable School which has 13 Negro applicants for September and is under court order to accept them, voted 177-128 in favor of integration.

School boards of Charlottesville, Arlington and Norfolk have been ordered to integrate classes and are considering more than 75 Negro applicants.

The vote here was the first stand taken publicly by parents in the state in behalf of any kind of school integration.

Several church groups have opposed a state law that makes it mandatory that public schools be closed if they are integrated.

The Venable School Parent-Teacher Associations poll showed 177 for partial integration; 128 for closing the school under Virginia's massive resistance laws; 138 not voting.

Washington Post

Charlottesville P-TA Votes 4-3 in Favor Of Some Integration

Washington D.C.

Parents Polled By Mail Oppose School Closing

Fri. 6-13-58

By Robert E. Baker
Staff Reporter

P. 13 Sec B

Parents in a white Charlottesville elementary school have voted 177-128 in favor of accepting a "measure of integration" rather than see the school close under Virginia's anti-integration laws.

The Venable School Parent-Teacher Association released the results of the poll yesterday. The P-TA mailed the questionnaire after Federal District Judge John Paul ruled that the city must begin desegregation next fall and 13 Negro pupils applied for admission to Venable.

The 459 parents were asked to choose between "a measure of integration" or "closed public Venable School." The PT-A did not receive replies from 138 parents, and 16 parents returned the questionnaire without indicating a preference.

Of the total parents queried, 39 per cent favored some integration rather than close the school, 28 per cent favored closing the school, 30 per cent did not reply and 3 per cent indicated no preference.

Of the 305 parents who indicated a preference, 177 or 58 per cent chose some integration and 128 or 42 per cent chose no school.

July Action

Results of the poll were scheduled to be turned over to the Charlottesville School Board last night. The board will not consider the applications of the 30 Negroes seeking admission to white schools until July.

Robert Ready, who ran on a segregationist platform for City Council earlier this year, and lost, criticized the PT-A questionnaire because, he said, "there is no such thing as partial integration."

Mrs. Lester R. Wilson, PT-A president, defended the questionnaire as posing "the only choice as we see it."

State law requires the closing of integrated schools until reopened by the Governor. If they were reopened on a desegregated basis, State school funds would be cut off.

Meanwhile, in Arlington which is also faced with desegregation orders, three more Negro pupils applied for admission to white schools, bringing the total to 20, not including the seven directly involved in the court case.

Affected Schools

The white schools which would be affected in Arlington include Washington-Lee and Wakefield High Schools; Stratford, Gunston, Jefferson and Swanson Junior Highs, and Fillmore or Henry Elementary Schools.

In Norfolk, also under desegregation orders, the School Board met to discuss a policy toward the 44 Negro applications to white schools, but took no action.

"We just don't have the answers," said Paul Schweitzer, board chairman. "We understand clearly what last Saturday's court order was. . . If there is anything we can do to keep every child in school we are going to do just that."

Negroes Seek Admission To White Virginia School

Defender
Louisville
Ky.
P. 5
Thurs.
6-5-58

Charlottesville, Va. (NNPA) — Two colored children applied Wednesday for admission to an "all-white school here next Sept.

The applications made during pre-registration for the fall opening, were the first since Federal District Judge John Paul on May 12 set next September as the effective date for a desegregation decree.

The name of neither student was disclosed by school officials. Both will be first graders and both sought admission to Venable Elementary School.

Superintendent Fendall R. Ellis confirmed a report Wednesday afternoon that one colored child, accompanied by his parents, had applied during the morning. Later in the afternoon. Venable Principal D. Mott Robertson said a second one had applied.

Robertson declined to name the two children of their parents.

Judge Paul earlier this month ordered the Charlottesville School Board not to bar colored pupils from white schools on the basis of race, beginning next September.

Judge Paul originally ordered desegregation effective in September, 1956 but stayed the order pending appeals and legal tests of Virginia's "massive resistance" program. The judge at that time also enjoined the Charlottesville School Board from requiring compliance with Virginia's Pupil Placement Act.

Venable school serves the northwest section of the city where many of the city's higher income families live. Most persons associated with the University of Virginia also live in that area.

Venable grounds are bordered on the east by a colored residential section which is served by Jefferson School, the only city elementary school for colored pupils. The two schools are about three-quarters of a mile apart.

George Ferguson, president of the Charlottesville Branch of the NAACP, said the applications were a surprise to him and that he did not know the names of the parents concerned.

14d(1) 1958

VIRGINIA NOW FACING HARD SCHOOL DECISION

Choice Between Some Integration And No Schools Appears Near

By JOHN

Special to The New York Times

Sun 11-30-58

WASHINGTON, Nov. 29—Virginia is about to face a choice between some racial integration of public schools and virtual or perhaps even outright abandonment of the public school system.

The state's anti-integration laws were enacted two years ago in an effort to prevent even the slightest breach of its traditional policy of separate facilities for the public schooling of white and Negro pupils.

The statutes are under attack in the courts. Even in the unlikely event that they are upheld in these legal tests, it is now clear that the laws will not be continued in their present form. They have proved unsatisfactory to die-hard segregationists as well as moderates and integrationists.

They have resulted so far in the closing of nine schools in three communities and the displacement of 12,700 pupils. Additional shutdowns are threatened. This is the situation in each of the three communities:

(1) All three of Norfolk's white high schools and three of its four white junior high schools, normally attended by 10,000 pupils, have been closed since the start of the 1958-59 term.

(2) Charlottesville's only white high school and one of its white elementary schools, normally attended by 1,700, are also closed.

(3) Warren County's only high school, normally attended by 1,000 pupils, has been shut down since Sept. 15. The county has no Negro high school. Instead, Negro pupils are transported to other counties for their schooling.

Makeshift Facilities

Makeshift facilities have been set up in the three communities for the private schooling or tutoring of the displaced pupils.

The makeshift arrangements are far from satisfactory to most educational authorities and many parents. Legal complications and the problem of retaining teachers threaten to disrupt even this token form of education.

The closings were proclaimed by Gov. J. Lindsay Almond Jr. in accordance with a state law prohibiting the operation of public schools to which both Negro and white pupils are admitted.

The Governor acted after Federal district courts ordered the assignment of seventeen Negroes to the Norfolk schools, twelve to the Charlottesville schools and twenty-two to the Warren school. He assumed "full authority and control" of the schools as provided by the law.

While Warren and Charlottesville have remained relatively complacent, parents and school officials of Norfolk, Virginia's largest city, have been exerting much pressure for reopening the schools.

The state anti-integration laws permit the Governor to return control of schools to local authorities for operation in compliance with court desegregation orders if both the local governing body and school board petition him to do so.

Support by Referendum

The Norfolk City Council refused to join the school board in such a petition. The council fortified its position with an advisory referendum of Norfolk voters, which resulted in a tally of 12,340 to 8,712 against petitioning the Governor.

Last Wednesday the City Council followed up by assuming day-to-day control of expenditures for schools still operating.

In Richmond, meanwhile, Mr. Almond and other state officials are sitting tight pending the outcome of two court tests of the anti-integration laws.

One suit, brought by a group of white children assigned to the closed Norfolk schools and their parents, was heard ten days ago by a special three-judge Federal court at Norfolk.

The other case, a "friendly" suit brought by one state official against another, was argued in Richmond Monday before the Virginia Supreme Court of Appeals.

State officials believe that key provisions of the laws will be struck down by one or both courts. Governor Almond has said that in such an event he will appoint a commission to advise him in drafting substitute legislation for consideration by a special session of the Legislature.

The cue from the courts is expected to come in the next three weeks. The special session probably will be held in January.

While waiting for the courts to act, the Governor is maintaining for the record, at least, his position of "massive resistance" to any integration whatever.

Many signs indicate, however, that when he has to make a choice between some desegregation and abolition of the public school system, he will choose desegregation.

The Governor has given no public indication of the kind of formula he may have in mind. It may be based on one recently put forward by The Richmond News Leader, formerly one of the most militant advocates of "massive resistance."

The newspaper suggested a system of local referendums whereby communities could choose by majority vote between operating schools in compliance with court desegregation orders or abolishing them.

Presumably, some cosmopolitan communities like Norfolk, Arlington County and Charlottesville would accept some integration if the only alternative clearly was to abandon public education.

Private Schools

Other communities, such as Prince Edward County in

VIRGINIA

Southern Virginia, would doubtless elect to shut down all public schools and rely on their citizens to substitute a system of private education.

Public funds would be made available as tuition grants for the private education of children in localities that abandoned public schools. The grants also would be provided for children of objecting parents in communities that accepted integration.

Even such a compromise formula, however, would face stiff opposition in the Legislature from a powerful bloc that still insists on total segregation everywhere in the state.

Spokesmen for this bloc have been exerting steady pressure on the Governor to adhere to a total segregation policy despite the probability that this would mean abandonment of public education throughout the state.

They are understood to have the support of Senator Harry F. Byrd, head of the state's dominant Democratic organization. As a consequence, the special session of the Legislature could provide a test of strength between Senator Byrd and Governor Almond, though no open break seems to be in the offing.

Agreed on Change

Both the total segregationists and the moderates agree on one thing. It is that the existing anti-integration laws must be revised regardless of the outcome of the court tests.

The segregationists are opposed to the maintenance of Negro schools in communities where white schools are closed to avoid integration. They want legislation requiring both Negro and white schools to be closed wherever the courts order desegregation.

The moderates foresee the shutdown of dozens, perhaps scores of white schools for indefinite periods unless the present school-closing law is wiped out by legislation or litigation. At the least, they want localities to be permitted to operate their own schools in compliance with court orders, if they choose to do so, rather than having them closed by the state.

14d(1) 1958

VIRGINIA

V

COURT OF APPEALS CASE

Virginians Deny Race Kept 7 Negroes Out Of Schools

Advertiser P.3

Jan 1-10-58

Montgomery, Ala.

CHARLOTTE, N.C., Jan. 9 (AP)—Three Virginia lawyers argued here today that race was not a factor in denying seven Negro children admittance to white schools in Arlington, Va.

The three made oral arguments before the 4th U.S. Circuit Court of Appeals in their appeal from a Sept. 14 ruling by federal District Judge Albert V. Bryan that the seven children be assigned to schools nearest their homes. In each case the nearest school is a white school.

The ruling was stayed pending today's hearing.

The three-judge court, headed by Judge John J. Parker of Charlotte, will announce its decision later.

The state of Virginia, in a brief filed in the case Dec. ', 1957, also has asked the court to rule on the validity of the Virginia school placement act which empowered a three-man board to make school assignments in place of local school boards. The act was one of several the state adopted to fend off school integration.

Representing the Negro children were Oliver W. Hill and Spottswood W. Robinson III, both of Richmond, Va. Frank L. Ball and James H. Simmonds represented Arlington County and Henry T. Wickham, special assistant to the attorney general of Virginia, appeared in behalf of his state.

The original motion was filed against the Arlington County School Board Sept. 9 and heard by Judge Bryan Sept. 11.

MASSIVE RESISTANCE

Wickham argued that the motion should have been filed against, the state's three-man placement board. But Hill argued that "massive resistance by the commonwealth of Virginia" to the U.S. Supreme Court's school desegregation decision was the "crux of the matter; not the school boards." He called the placement board a "farce" which could not assign students objectively.

Simmonds argued that the school board was not given enough time to prepare its case and that the Negroes showed no proof that they had been denied admittance to the white schools.

Wickham asserted that the children were not denied admittance because of race. He called on the court to rule on the validity of the pupil placement act, and said the decision should be either reversed or dismissed.

Simmonds charged that only one of the children filled out a placement form and that it was for thi reason that they were denied admittance. He said the form makes no mention of race. He said white children in the county had been denied admittance to schools for failing to fill out forms.

Ball, who said seven generations of his family had attended Arlington County schools, argued that there was no reason for the federal district court to have assigned the Negro children to schools closest to their homes.

Because of the way the school districts in the county are laid out, he added, most students do not attend the schools nearest their homes.

CONSIDERED 'FUTILE'

Hill said that the parents of the Negro children did not fill out the placement forms because they considered it "futile." Touching on the Arlington lawyers' contention that they were given only two days to prepare for the hearing Sept. 11, Hill asserted that the children were denied admission and needed relief from missing school which had sarted.

Robinson contended that the rights of the Negro children had been established by the U.S. Supreme Court's school desegregation decision, long before Virginia enacted its pupil placement act.

He said the Negroes applied for schools they were legally entitled to enter and had full right to seek an unsegregated education.

"Had they been white," he said, "they would have been admitted."

Arguing that the students were not denied admission by the placement board, Robinson said they were denied admission by "agents and employes of the school board. Theer is no real basis that the school board is not involved."

PTA Polls Parents on Integration

Star

Washington D.C.

June 6-5-58

CHARLOTTESVILLE, Va., June 5 (AP).—Parents of children attending Venable School, threatened with integration in the fall, have been sent questionnaires seeking their reactions.

P. A-23

Some 700 parents have been asked to list their preference of two possibilities.

One is a closed Venable public school. The other is some measure of integration.

The questionnaire was prepared and circulated by the Venable School PTA board. Mrs. Lester A. Wilson, jr., board chairman, said the questions represented the only possible choices "as we see it."

Parents' reactions will be compiled by the board June 10, Mrs. Wilson said. There are no plans to publish the results.

Charlottesville School Supt Fendall R. Ellis said he was unaware of the poll until yesterday. He had no comment.

Charlottesville is under a Federal District Court order to desegregate its schools in September. Negro students have applied for admission to all white Venable.

Race Not Factor In Virginia School Case, Court Is Told

News & Courier Charleston S.C. Jan 10-58

P. 11-B

CHARLOTTE, Jan. 9 (AP)—Three Virginia lawyers argued here today that race was not a factor in denying seven Negro children admittance to white schools in Arlington, Va.

The three made oral arguments before the 4th U.S. Circuit Court of Appeals in their appeal from a Sept. 14 ruling by Federal District Judge Albert V. Bryan that the seven children be assigned to schools nearest their homes. In each case the nearest school is a white school.

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Simmonds argued that the school board was not given enough time to prepare its case and that the Negroes showed no proof that they had been denied admittance to the white schools.

New Virginia Governor Would Close Schools

RICHMOND, Va., Jan. 11 (UP)—Gov. J. Lindsay Almond, turning down any suggestions of a "compromise," today asked the general assembly for authority to close any public school where federal troops are used to enforce racial integration.

Observer P.1

Almond, a staunch segregationist and loyal Democrat, was sworn into office at 12:23 p.m., succeeding Gov. Thomas B. Stanley.

Jan 1-12-58

The 59-year-old, white-haired former state attorney general and Congressman repeated his campaign vow to use "every honorable means" to maintain Virginia's rigid pattern of segregation.

Raleigh N.C.

"The people of Virginia, I believe, are overwhelmingly against racial integration of the public schools," Almond told an inaugural throng of more than 5,000 gathered around the statues of the state Capitol.

His address, interrupted more than 50 times by applause, dealt almost entirely with the school situation. He promised to send special messages to the assembly on other subjects.

He asked only for the power to close any school where federal troops are used to enforce integration, saying he was satisfied with the other segregation legislation already on the books.

He would not hesitate, he added, to call the general assembly into special session to consider new laws when they become necessary.

Five localities in the state are under federal court orders to integrate, but Almond said he was convinced "forced integration" would result in "half schools or quarter schools or no schools . . . in communities torn by dissension.

There was another roar when he said:

"No public school can function at the point of a bayonet."

"I cannot conceive such a thing as a "little integration' any more than I can conceive a small avalanche or a modest holocaust," he said in turning down any of the compromises for "token integration."

"Virginia has no alternative but to seek to maintain a position of flexibility so as to meet to the best advantage, in the light of conditions then existing, any situation which might arise," he said.

News & Observer

Almond also called for the creation of a new state commission to work with the governor and "our sister states to the end that the several states may be restored to their proper dignity."

P. 2

Jan 1-12-58

He charged that the Supreme Court's integration rulings had "proscribed a massive bloodletting."

Raleigh N.C.

"It is not the South only that is being leeched," he said. "It is the whole body of the republic. Weakened by the cynical phlebotomy, enervated by sweet anesthetic, the states gradually are declining to the insignificant role of dependent federal satellites—mere municipal provinces of Washington, suburbs of the capital."

He noted the Soviet Union'

firing of an "ominous moon" into the skies and urged "bold and imaginative ways" to challenge Soviet scientific advances.

"If the Soveit Union continues unchallenged in her preeminence in the field of science," he said, "she can win the cold war over any length of time she chooses."

He recommended a 15-million dollar transfer of funds from the state surplus to a special fund to aid local level school construction. It was five more than the figure recommended by Stanley.

School Closing Bill Is Handed Virginia House

Courier P 2 A

Thurs. 1-16-58

Charleston, S.C.

RICHMOND, Va., Jan. 15 (AP) — A bill to authorize Gov. J. Lindsay Almond Jr. to close any public school patrolled by federal troops was introduced in the Virginia House of Delegates today.

Eight delegates offered the measure as a means of shoring up the state's present package of laws designed to prevent any break-through in the classroom color line.

Almond requested such authority in his inaugural address last Saturday — the only new specific proposal he made on the segregation issue.

The measure would permit the governor to close a school if he felt it was in the public safety. And if federal troops were ordered in — or the Virginia National Guard federalized for the job — he could close a school whether it were integrated or not.

Under present state law a school would be closed automatically—at least temporarily—if any integration takes place.

Today's measure is aimed at forestalling any duplication of the school situation which arose at Little Rock's Central High School in Arkansas.

Va. Lawyers Claim Race Was Not Factor In School Denial Case

News & Observer

Raleigh N.C.

p. 6

Fri. 1-10-58

CHARLOTTE, Jan. 9 (AP)—Three Virginia lawyers argued here today that race was not a factor in denying seven Negro children admittance to white schools in Arlington, Va.

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"Had they been white," he said, "they would have been admitted."

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Seating Ruling Binds County, Attorney Says

Star

Thurs. 1-16-58

Washington D.C.

The attorney who won an Arlington Circuit Court ruling that Virginia's segregated seating law is unconstitutional said today there is no doubt that this decision is binding on the county.

The statement by David Carliner was directed at comments by Arlington Commonwealth's Attorney William J. Hassan that attorneys now will be able to cite two conflicting Arlington Circuit Court decisions on the seating law.

On Monday, Judge Walter T. McCarthy held the 1926 statute to be unconstitutional. The test case was brought by an Arlington Negro, Mrs. Marjorie Y. Taylor, who was arrested last October for sitting in a section reserved for whites at a political debate.

Bissell Case Cited

Judge McCarthy's decision was the reverse of an opinion handed down last year by another Arlington Circuit Judge Emery N. Hosmer, in a similar case. An appeal of Judge Hosmer's conviction of a white woman, Miss Faith Bissell, who took a seat by a colored man at a 1956 meeting, was thrown out by the State Supreme Court of Appeals on a technicality.

Today, Mr. Carliner, who successfully represented Mr. Taylor said Arlington officials must be guided by Judge McCarthy's decision calling segregated seating at public places unconstitutional.

Judge Hosmer's 1957 ruling, he said, was erased by the State Supreme Court of Appeals.

In throwing out the Bissell case because the arrest warrent failed to sepcify her race, Mr. Carliner said, the appellate court said the proceedings in Judge Hosmer's court were "manifestly invalid."

Asks for Ruling

However, Mr. Hassan takes the position that the appellate court did not pass on the constitutional aspects of Judge Hosmer's opinion.

Meanwhile, there were these developments in the wake of Judge McCarthy's ruling:

1. Mr. Hassan yesterday asked Virginia Attorney General Albertis S. Harrison for an opinion as to whether Arlington can appeal the Monday decision.

2. The Arlington School Board last night decided to ask its attorney, James H. Simmonds, whether it should require segregated seating at future public meetings in school buildings. The Bissell and Taylor cases grew out of arrests made in school buildings.

High Court Stays Aloof In Virginia

Constitution

Atlanta Ga.

By ANTHONY LEWIS

(Copyright 1958, The New York Times Co.)

WASHINGTON, March 3—The Supreme Court let stand today a lower court order that Prince Edward County, Va., make a "prompt and reasonable start" toward ending school segregation.

Virginia had given the court a blunt warning that the order would result in closing Prince Edward's public schools. The county is in the so-called "south side" of Virginia, the center of resistance to racial integration.

The Prince Edward supervisors have voted to abandon their public schools rather than allow any Negroes into white buildings. A corporation has been set up, with pledges of $200,000, to run a system of "private" schools if necessary.

CRUCIAL TEST

Tues 3-4-58

P. 1

The impression in Virginia is that Prince Edward citizens will close the schools in the face of any final integration order. The case is thus potentially a crucial test of the Supreme Court's 1954 school decision.

In 1955, in its opinion carrying forward the school decision, the Supreme Court left to the federal district courts the primary responsibility for determining the pace of school integration. It said they were in the best position to weigh "local conditions."

The vital question in the Prince Edward case is whether the Supreme Court intended to let the district courts have descretion to allow an indefinite delay in integration.

REJECTED DEADLINE

Sterling Hutcheson, federal district judge in Richmond, Va., read the Supreme Court opinion as giving him that discretion. Last year he rejected a motion by Negro children in Prince Edward for a time limit before which the ~~school board~~ must begin ending segregation.

Constitution

"It is inconceivable" Judge Hutcheson wrote, "that any of the litigants or other persons affected would willingly see the public school system abolished. It is imperative that additional time be allowed."

Judge Hutcheson was reversed by the U.S. Court of Appeals for the fourth circuit. Its unsigned opinion said:

P. 8

"The fact that the schools might be closed if the order were enforced is no reason for not enforcing it. A person may not be denied enforcement of rights to which he is entitled under the constitution of the United States because of action taken or threatened in defiance of such rights."

In a petition for Supreme Court review, Virginia said the appellate court order in effect "eliminates the discretion" given the district courts in segregation cases.

Tues 3-4-58

"It is important that this court now reestablish that area of discretion," the petition said. "Otherwise in large areas of Virginia and perhaps in other states, public schools are now in their last session."

The case will now go back to Judge Hutcheson. Under the mandate of the court of appeals, he will have to order the school board of Prince Edward to make a start on integration by a specific date, or at least come in with a plan by some date.

14d(1) 1958 VIRGINIA

Arkansas Ruling Seen Not Affecting Arlington

1410

By Jean White
Staff Reporter

Post Times Herald
P. A-14
Washington D.C.
Jun 6-22-58

Arlington County officials said yesterday they do not believe the Little Rock (Ark.) Federal Court decision suspending integration will have any legal impact on the local school situation.

At the same time, leaders in Virginia's fight for segregated schools from Gov. J. Lindsay Almond down, hailed the decision as backing up their no-integration stand.

Almond called the ruling "most wholesome" and said he was "more convinced than ever to resist to the utmost the mixing of the races in the public schools of Virginia."

But in Arlington, one of under court desegregation orders, county and school board officials did not see any change in their problems.

James G. Stockard, chairman of the Arlington County School Board, said the Little Rock ruling would not have any application in the county.

"Arlington," he commented, "has a different citizenry. "We are hopeful we have an entirely different caliber of leadership in this locality and State to eliminate the problems and tensions that the judge there took cognizance of."

In yesterday's Arkansas decision, Virginia-born Federal Judge Harry J. Lemley ruled racial integration could be suspended at Little Rock's Central High School until the 1960-61 term. He found the troop-enforced integration of the last school term and the attendant racial tensions were not conducive to education.

In Arlington, 24 Negro students have applied for admission to white schools this September. They are in addition to seven others named in a Federal Court order signed by Judge Albert V. Bryan. The Supreme Court twice has refused to review the Arlington schol case.

Under Virginia law, Gov Almond may close any integrated school and try to reorganize it on a segregated basis.

Stockard noted that Arlington has had a "couple years more" than Little Rock to prepare before coming face to face with integration.

"We should be further along in our thinking to cut down the tensions," he said.

Another School Board member, Helen S. Lane, said the Board has to follow State law and won't be directly affected by the Little Rock ruling. But she added, the decision may result in encouraging the segregationists and their fight.

Ralph R. Kaul, chairman of the Arlington County Board, said he didn't see any impact on local problems coming out of the Arkansas ruling.

County Called Mature

"Arlington," he added, "is a very mature, responsible and law-abiding community. As concerns outside agitators that might come in, I am confident the Police Department will be them without the help of the Federal or State government."

A spokesman for the Arlington Committee to Preserve Public Schools, O. Glenn Stahl, emphasizing that his group was interested only in the threat of public school closing, saw no relevancy of the Little Rock ruling in the Arlington school situation. The hope is, he stressed, that Arlington has enough "level-headed citizens" to prevent the problems that Little Rock has had.

In Arlington, as throughout the State, the Little Rock court order was praised by leading segregationists.

Sees Restraining Effect

"This will have a restraining effect on the Federal judiciary," said Jack Rathbone, executive secretary of the Arlington chapter of the pro-segregationist Defenders of State Sovereignty and Individual Liberties. "We expect them to be more receptive to our legal maneuvers."

Rathbone said he was "encouraged" by the decision, but also "a little bit discouraged" that the Little Rock School Board had not asked for six or eight years' delay instead of two and a half.

Gov. Almond gave his comment on the Little Rock decision while attending a meeting of the Virginia Bankers Association in Hot Springs, Va.

He emphasized that he was well aware of the critical school situation in Virginia but was more determined than ever to fight to stave off school integration.

He pointed to the Little Rock situation as "living proof that education will be destroyed through the mixing of the races in the public school system in that city." The situation in Virginia, he added, is "more difficult" than the one confronting the Little Rock school authorities.

In addition to Arlington, four other Virginia communities—Norfolk, Newport News, Charlottesville, and Prince Edward County—are under desegregation orders.

Virginia Playing For Time Again

1413

By MARY LOU WERNER
Star Staff Writer

Star P. A-28
Jun. 5-25-58
Washington D.C.

The State of Virginia has a new bag of legal tricks ready to open in the quest for a way to preserve segregated schools.

On June 27, a revised pupil placement law takes effect. With it, the State has hopes of holding back integration beyond September, when desegregation orders are due to take effect in Arlington, Charlottesville, Norfolk, Newport News and possibly Prince Edward County.

The old pupil placement law, adopted at a special session of the Virginia General Assembly in 1956, has had every bit of integration medicine squeezed out of it by the Federal courts.

One Federal judge after another has held that Negroes need not use the old placement law when they seek to transfer to white schools. The final blow came last week, when the Supreme Court refused to review the Arlington case in which Judge Albert V. Bryan has ordered the admission of seven Negroes to four white schools without requiring them to use the placement machinery.

The original placement law took the authority for assigning students away from local school boards, and put it in the hands of a three-member State Placement Board appointed by the Governor.

Calls for Closing Schools

No mention of race was written into the law, but legislators left no room for doubt that they intended to maintain segregation when they passed it. They adopted at the same time companion measures calling for the automatic closing of any school where integration takes place, and the withholding of State school funds from any locality that attempts to run mixed classes.

Theoretically, the placement board was supposed to assign students according to a long set of standards set forth in the law. Dissatisfied students had to go through a maze of appeals that one Federal judge observed could take longer than a school semester.

But to Federal courts, the original Virginia placement law was nothing more than a thinly disguised scheme to foil the Supreme Court desegregation decision.

Judge Bryan ruled that the Negro students could not be compelled to use the placement law because it was admittedly designed to preserve segregation. A similar ruling had been handed down earlier in the Norfolk and Newport News school cases which went up to the Supreme Court, but the Arlington case was the first to offer a specific test of the placement law.

There is some disagreement among lawyers whether the entire placement law is unconstitutional, but the effect of the Arlington case makes it definitely unenforceable against Negroes.

By contrast, placement laws in North Carolina and Alabama have survived tests before Federal judges. The North Carolina law went all the way to the Supreme Court without faltering, and the Alabama law recently withstood an attack in a Federal appeals court. There has been some integration in North Carolina schools but none so far in Alabama. Neither North Carolina nor Alabama has automatic school closing and fund cut-off like Virginia. Both States have left the authority for assigning students in the hands of local school boards.

Major Changes in Law

The new placement law about to take effect in Virginia is patterned partly after North Carolina's. It retains the State Placement Board, but contains the following major changes:

1. The Governor is deleted from the appeal process. This is calculated to shorten the appeal

procedure as much as 45 days.

2. The complex standards for assignment are replaced by criteria borrowed from North Carolina, stating simply that children shall be enrolled "so as to provide for orderly administration of public schools, competent instruction of pupils enrolled, and health, safety and welfare of the pupils so enrolled."

3. The word "efficient" is deleted from the new law. A link between use of the word "efficient" in the original placement law and its definition in other State anti-integration statutes was one factor in adverse court decisions against the first law.

With these changes, the State has answered some of the objections raised by Federal judges to the original placement law.

But the courts have raised other objections that are still to be met. Federal Judge Walter Hoffman in the Norfolk and Newport News cases pointed to a statement of policy by the General Assembly that the mixing of races in the public schools "constitutes a clear and present danger affecting and endangering the health and welfare of the children and citizens * * *" He also took note of the fund cutoff and school-closing measures as evidence the original placement law was not a bona fide answer to the Supreme Court decision.

Judge Bryan said last September in the Arlington case that submission to the original placement law "amounts almost to assent to a racially segregated school." He said the placement board actually deliberated on a racial question, "under threat of loss of State money to the applicant's school if children of different races are taught there."

Policy: No Integration

It is still the State's avowed policy—backed up by laws—that there shall be no integration anywhere. The school closing law and fund cut-off measure are still intact, the former in somewhat stronger terms than it was when originally adopted in 1956. It would seem, therefore, that the new placement law hardly has an even chance of surviving any better than the first one did.

But at least it gives the State something new to go into court and talk about. And after all, it took the better part of two years to scuttle the original law—with no integration in the meantime.

State strategy presumably is to contend that Negro students have to use the new placement law when they try to enter white schools in the fall. As soon as this happens, attorneys for the Negro students are expected to go right back in court again and claim the new law represents no more compliance with the Supreme Court edict than the old one did.

On Friday night a civil rights lawyer told the Citizens Committee for School Improvement in Arlington that "there is little doubt" that a Federal court would grant them an injunction to prohibit Gov. Almond from closing the schools.

The attorney, Harry B. Merican of Washington, said also that he believed a taxpayers' suit to prevent county schools from being denied State funds "probably would succeed."

"It's the taxpayers' money," Mr. Merican observed.

What the State cannot bank on is that the patience of the Federal courts will endure. Stay after stay has been granted while the original placement law worked its way through the courts. With each decision, the courts have indicated what type of placement program would be acceptable. Judge Bryan in one order went so far as to say the answer might well be a State agency—such as a placement board operating without handicaps like the fund cut-off.

But apparently the courts are not going to be satisfied with any program that boldly bars any possibility of integration—and that is what Virginia still is striving to do. The next time Virginia asks for a postponement, the Federal Courts may not be as generous as they have been in the past.

World P.1 Atlanta, Ga
Fri. 6-13-58

18d(1)
Va

N. C. DOCTOR OF YEAR—Dr. C. D. Watts, right, Durham surgeon, is presented the coveted "Doctor of the Year" plaque by Dr. J. S. Simmons, left, Sanford, chairman of the Awards Committee, as Dr. M. D. Quigless, Tarboro, retiring president, looks on from center. The presentation was made at the 71st annual convention held last week in Durham.

14d(1) 1958

VIRGINIA

New twist: Arlington may sue to keep schools open

Afro-American P.1 - Sat 5-31-58

14d

Baltimore Md

ARLINGTON, Va. — A court fight between Arlington County and the State of Virginia loomed as a possibility, this week.

The county is expected to go into Federal court to seek an injunction against the state, if state funds are withdrawn when Arlington County schools desegregate this fall.

In another development in Virginia's school segregation controversy, 26 more colored pupils petitioned the Charlottesville school board for admission to white public schools.

A DAY EARLIER, two other children had petitioned for admission to Venable Elementary School in Charlottesville.

The latest twist in the school segregation hassle, the Arlington case, will pit county against the state and pose another threat to Virginia's crumbling "massive resistance" program.

Arlington County faces the prospect of having its public schools closed by state law and state funds withdrawn, if it should comply with a Federal court order to desegregate.

Two years ago the county mapped plans to desegregate its schools, but the State moved rapidly to prevent this by passing a close - the - schools law.

* * *

THE STATE also passed laws providing that school board members be appointed by the County Supervisors, rather than elected as they were previously.

In Arlington, seven colored pupils are seeking entry into four white schools. Last Monday the U.S. Supreme Court refused to review an appeal by the State from lower federal courts.

This paved the way for enforcement of an order by Federal Judge Albert V. Bryan of Alexandria that the children be admitted to the schools.

* * *

THE ORDER also hastened the day when Arlington County's schools may be closed under Virginia anti - integration laws, leaving nearly 5,000 white children without public education.

But there are indications that county leaders will resist efforts to close the schools.

Mrs. Elizabeth T. Campbell, former school board member, now on the PTA Council, said:

"The schools will have to close first. People here just can't believe it is going to happen. We either have public school for all the people—or no schools at all."

* * *

THE SHOWDOWN in Arlington will probably come when schools open Sept. 4.

If the schools are closed, the state is authorized to make tuition grants to individual students whishing to attend private schools.

Afro American

Members of the Arlington School Board are resigned to a temporary closing of the school.

There is however, considerable indication that Arlington will fight to maintain its school system, which ranks as one of the best in the nation.

* * *

P.2

ARLINGTON'S COUNTY'S Council of Parent - Teacher Associations has voted unanimously to oppose the closing of public schools if integration occurs.

Sat 5-31-58

Blanton B. Hanbury, head of the corporation, say the private school plan could not operate more than a year without state aid.

Currently the State supplies $412,300 of the county's $760.529 school budget.

* * *

AT MIAMI BEACH attending governors, Gov. J. Lindsay Almond of Virginia said of the high court' refusal to review the Arlington case:

"I see no change in the situation in Virginia. State laws will be applied in an honest effort to save public education from chaos."

Gov. Orval Faubus of Arkansas, said he might call out the Arkansas National Guard again when school opens this fall—if that is necessary to prevent violence.

* * *

MEANWHILE, Federal District Judge John Paul, who handed down Virginia's first school desegregation order, announced Wednesday that he will retire from the bench Aug. 1.

In ordering Charlottesville schools to desegregate, Judge Paul took note of Virginia's efforts to avert desegregation through massive resistance legislation.

The Charlottesville petition to admit 26 pupils in white schools in September was signed by Oliver W. Hill, Richmond attorney and chief legal counsel for the State NAACP.

In a letter accompanying the petition, Mr. Hill asked the school board to advise him "within a reasonable time" as to whether or not the requests for transfers and admissions will be granted.

* * *

OF THE 17 parents who signed the petition, all but two were among the original plaintiffs who brought the suit.

In Richmond, citizens expressed satisfaction with the week's developments on the school segregation front.

Mr. Hill said: "We're very glad the Supreme Court denied the review as this eliminates one of the stalling tactics of the defendants."

John Brooks, Director of the South - Wide Suffrage Program of the NAACP, said:

"I am actually very gratified about the developments at Arlington and Charlottesville. This will be the acid test of Gov. Almond's — 'close the schools' threat."

"A lot of white people have been silent on the segregation question, feeling that it did not concern them. Now, however, that they are faced with losing their schools, we can expect to hear them speak out for the sake of their children's education."

"Although the state politicians will try to blame the NAACP for it, Virginians know who passed the school-closing law—the governor and the General Assembly."

Grover C. Grant, candidate for City Council, said:

* * *

"I ANTICIPATED the State of Virginia's losses in the Arlington desegregation suit. I also anticipate that the brilliant and distinguished federal judge, Judge Albert V. Bryan's directive to that end will be forthcoming, as soon as the petitioners present their case before him for desegregation."

"Every American, irrespective of race, has the right to disagree with any court decision; but no citizen of our nation, has a right to defy court orders or laws on local, state and national levels. To permit defiance from any source would endanger perpetuity of the nation."

Dixie City Told To Desegregate

World Telegram

By the United Press

RICHMOND, Va., May 12.—U.S. District Judge John Paul ordered the city of Charlottesville today to desegregate its public schools by the opening of the September school term. The decision cannot be appealed.

P.2

The action apparently will force a showdown on Virginia laws designed to provide "massive resistance" to integration. State law would close any public school in which classes are mixed.

Mon 5-12-58

Meanwhile, in Norfolk, attorneys for the National Assn. for the Advancement of Colored People, asked U.S. District Junde Walter E. Hoffman to order desegregation of the Norfolk and neighboring Newport News public school systems effective with the September term. June 7 was set as the date for arguments on the motions.

New York N.Y.

Desegregation decisions for all three cities have been upheld by the U.S. Supreme Court. Deadline for Charlottesville was first scheduled for September, 1956. Norfolk and Newport had been ordered to desegregate by September, 1957.

The orders were delayed pending the unsuccessful appeals.

Across America

14d

Virginia: Intergration Test

Herald Tribune

RICHMOND, Va.—Developments spelled out what appeared to be a showdown in three Virginia desegregation cases. At Charlottesville, a Federal judge ordered desegregation of the public schools by September. At Norfolk and Newport News, the National Association for the Advancement of Colored People asked a United States District Court to order similar action. The moves will test laws aimed at "massive resistance" to integration. State law would close any public school holding mixed classes

P.11

Tues 5-13-58

New York N.Y.

White Schools In Norfolk Will Admit Negroes

Won't 'Risk Contempt of Court,' School Board Head Declares

By Robert E. Baker

Staff Reporter

14d Va

The chairman of the Norfolk City School Board indicated yesterday that qualified Negro pupils who apply to go to white schools will be enrolled in the white schools.

"We're not going to find ourselves in contempt of District Court," said board chairman Paul Schweitzer.

In other racial developments:

- 28 Arlington County ministers issued a statement opposing the use of church facilities for schools "as a means of evading or circumventing" court-ordered desegregation.

Portland Journal Herald

P.B.

Washington

- Two more Negro pupils in Arlington signed application forms for white schools, bringing the number to 17—not including the seven directly involved in the county's desegregation case.

- A state spokesman pointed out that Virginia's tuition grant law for private schooling would bar Arlington pupils from using tuition grants to go to District public schools.

Times, 6-12-58

In Norfolk, 14 more Negro applications for admission to white schools were received by the school board, to bring the total to 23. Officials said they expect three times that number to be filed during the next few days.

Times 6-12-58

September Deadline

Federal District Judge Walter E. Hoffman ruled on Saturday that his 16-month-old Norfolk desegregation order, which the Supreme Court upheld in effect, was still in effect and the city must begin desegregation in September.

Virginia has anti-integration laws which would close integrated schools at least temporarily and cut off State school aid if they reopened on an integrated basis.

Schweitzer said the school board "will have to consider the applications of the Negro pupils and decide them on their merits." He said he did not know of any further legal moves that might be contemplated to ward off desegregation next fall.

The school board chairman thus indicated a Norfolk policy of admitting qualified Negroes to white schools under court order and facing the consequences of state law.

Juanita Welch, 15, Negro, president of the student body at Ruffner Junior High School, who applied Tuesday for admission to Norview High School, said: "If the older people stay out of it, we won't have any trouble."

She said the public schools may close temporarily when Negroes enter them in September, "but we don't think they'll be closed long because parents of the white children will want their children educated."

In Arlington, also under a court order to desegregate, school board members said they still have no policy in handling the Negro applications to white schools. They said the Superintendent has not brought the matter before them officially for action.

Meanwhile, 28 Protestant ministers of 24 Arlington churches, representing 10 denominations, issued a "Statement of Convictions" in which they oppose the use of churches for schools to avoid court-ordered integration.

Morally Wrong

They said they were speaking as individuals only and were convinced "that enforced segregation of our fellow men because of race is morally and spiritually wrong."

The ministers cited the Supreme Court's 1954 school desegregation ruling and the subsequent Arlington decision.

"These rulings are the law of the land and must be respected," they stated. "If individuals or groups defy these court decisions, they are inviting anarchy in which no one's rights will be preserved and our public school system endangered."

They urged all parents "by conversation and example" to "set a pattern of responsible Christian citizenship in a democracy which recognizes justice, fair-play and the respect of the sacredness of human personality.

The ministers urged that differences of opinion be resolved "by following democratic principles, such as respect for the rights of individuals, free speech and due process of law through the courts, without recourse to violence and lawlessness."

Christian Love

"We reaffirm, as history teaches, that the only solution to this or any other problem of relations between human beings is to be found in the application of the New Testament concept of Christian love in which we seek for others that which we desire for ourselves."

The ministers statement, completed by a committee of the Arlington Ministerial Association, followed a similar statement by the Arlington Council of Churches last month.

Jack Rathbone, acting secretary of the Tenth District Education Corporation, formed by segregationists to operate private schools if Arlington public schools close, said his group did not contemplate use of church facilities.

If church facilities are needed, he said, the Corporation will appeal directly to the congregations and vestries, and not the ministers, "and we reasonably expect their full cooperation."

Ministers who signed the statement and there churches follow:

Paul H. Harrell, Memorial Baptist Church; Louis C. Shearer, Christ Methodist; Philip J. Anstedt, Bethel United Church of Christ; Charles E. Book, Trinity Presbyterian; Paul G. Wiley, Arlington Baptist; Frank A. Erwin, Little Falls Presbyterian; George H. Yount, First Presbyterian; Wilson Stanley Walker, Chapel Methodist.

Also, L. L. McGee, Glebe Baptist; Carl G. Mengering, Faith Lutheran; M. Jackson White, First Baptist Church of Clarendon; George E. Schnabel, St. Mark's Evangelical United Brethren; W. Barker Hardison, Westover Baptist; John D Raymond, Westover Baptist; Melville D. Nesbit, Jr., Clarendon Presbyterian; Glendale Burton, Wilson Boulevard Christian; William H. Foster, Jr., Trinity Presbyterian.

Also, Donald Kendall Welsh, First Presbyterian; William Harrison, Rock Spring Congregational; Hedley J. Williams, St. George's Episcopal; Jay W. Bowen, Arlington Presbyterian; Robert E. Forrest, Central Methodist; James Roy Smith, Mt. Olivet Methodist; Carl Wrenn Haley, Calvary Methodist; Sidney Lovett, Rock Spring Congregational; Glen Weimer, Arlington Church of the Brethren; Gary K Price, Trinity Episcopal, and Paul S Carter, Greenbrier Baptist.

Segregation Spotlight Likely To Shift to Virginia In Fall

News & Observer

WASHINGTON (UPI)—The segregation spotlight is liable to be more on Virginia than on Little Rock, Ark., when schools reopen next September.

Raleigh N.C.

There is a possibility some Virginia schools may be shut down rather than permit the mixing of white and Negro students.

Whether that possibility becomes a reality depends on whether Virginia is at the end of legal maneuvering intended to delay segregation action by the federal courts.

Sun. 6-8-58

On May 19 the Supreme Court rejected an appeal by Arlington County, Va., against a federal court order directing the county to admit seven Negro children to four of its white schools.

P.1-9

It was the second time the case had been through the federal courts, so the Supreme Court refuse dto listen to any more arguments on it.

It meant that Arlington and three other Virginia communities under similar orders must start the fall term next September under direct mandate to desegregate.

This could bring into action the first of the state's new series of laws to prevent mixing of Negro and white students—laws which would shut down any desegregated school, even under federal court order.

The law was designed to close down any white school to which a Negro was ordered admitted. But a group of Arlington County segregationists late last month said they would act, if this happened, to close down Negro schools on a "tit for tat" basis. They would do this by enrolling white students in Negro schools.

"We do not intend to sit idly by while white schools are closed and Negro schools are left open," Jack Rathbone. executive secretary for the segregationists group said.

The only possibility of delaying a desegregation crisis in Virginia would be a new test of the state's pupil placement act. This act would give the governor and a three-man board appointed by him power to put students in any school they thought best.

Placement Law Amended.

The basic placement law already has been declared unconstitutional as a device to avoid the Supreme Court ban on segregation. But since then the Virginia Legislature has amended it to conform with some federal court criticism.

The changes shorten the appeals procedure and say the special board should assign pupils on the basis of efficiency. Efficiency is defined as a segregated school system.

Whether the final showdown on closing at least some Virginia schools will come next September depends on whether the courts will permit a stay of the orders pending the new fight on the Pupil Placement Act.

Some lawyers feel the federal courts won't tolerate further delay and will refuse to issue the stay even if a new fight is started over the Pupil Placement Act.

Removed From System.

That would mean Step Two of the state's so-called massive resistance laws opposing desegregation would come into effect.

Step Two automatically shuts down a school and removes it from the state school system the moment one Negro child is admitted to a white school.

The governor then would take control of the situation. He could investigate, try to reorganize the school on a segregated basis, reassign students, and award private tuition grants to students who couldn't be reassigned.

If all the governor's attempts failed, and the school remained closed, the county could appeal to have it opened, even though desegregated. The governor could reject the appeal, pay for all students to go to private schools. If he granted it, the county would lose its state funds to operate schools.

Norfolk School Board Says

"We'll Do All Possible To Keep Schools Open"

Journal & Guide

P. 11

Norfolk Va

Sat. 6-21-58

Little indication as to what happens next in the Norfolk school case was given at the regular meeting of the Norfolk School Board Thursday afternoon.

"We just don't have the answer," said School Board Chairman Paul T. Schweitzer. "We understand clearly what last Saturday's court order was," he said, but we have had no instructions from the attorney general or the governor.

Mr. Schweitzer added that "Part of the little authority the Schol Board had was taken away by the court order, and the rest by the state."

When asked by a parent at the meeting whether it will be possible to keep the schools open without state money, Mr. Schweitzer replied:

"If there is anything we can do to keep every child in school, we are going to do that."

As of Friday afternoon, 76 colored students had filed applications to attend schools nearest their homes. Others were waiting to apply.

Less than a week after Federal Judge Walter E. Hoffman had placed into effect his 1957 desegregation order, colored pupils were filing applications to attend the schools "nearest" their homes.

IT WAS shortly before 11 a. m. Tuesday that the first applicants, accompanied by their parents and NAACP attorneys Victor J. Ashe and J. Hugo Madison entered Supt. J. J. Brewbaker's office.

When confronted with the 'parents' requests, Mr. Brewbaker at first said he thought the requests would probably require the filing of a special form.

Most of the colored children who have applied for a transfer live near white schools, but are now traveling across town by bus to attend colored schools.

"I'm just tired of those additional expenses," one of the mothers told a Guide reporter. Most of the parents have more than one child in school.

Colored students who have applied for admission to white schools include:

James L. Scott Jr., 15-year-old son of Mr. and Mrs. James L. Scott, 7000 University Dr., Chesapeake Gardens Manor. James, finishing the ninth grade at Ruffner Junior High applied for Norview High.

Claudia Wellington, 11, and Carol Wellington, 14, daughters of Mrs. Bessie Johnson, 932 Tifton St., Chesapeake Manor Gardens. Claudia, finishing the sixth grade at Ruffner, applied for Norview Junior High; Carol, finishing the ninth grade at Jacox Junior High, applied for Norview High School.

• • •

SAMUEL C. Merritt III, son of Mr. and Mrs. Samuel C. Merritt Jr., 6526 Thompson St., Coronado. Samuel, finishing the 10th grade at Booker T. Washington High School, applied for Norview High School.

Melvin G. Green Jr., 9, and Minmi Alice Green, 7, children of Mr. and Mrs. Melvin G. Green, 1223 Republic Ave., Rosemont Melvin, finishing the fourth grade at Oakwood School, applied for the fifth at Norview; Minmi, completing the first grade at Oakwood, for the second grade at Norview.

CHARLES LAVERNE Butts, 9, son of Mr. and Mrs. Charles H. Butts, 1070 Kennedy St., Oakwood. Charles, finishing the third grade at Oakwood, applied for the fourth at Norview.

Cloyde L. Reese, 9, and Thomas E. Reese, 14, children of Mrs. Cloyde L. Reese, 1217 Dundale Ave., Rosemont. Cloyde, completing the third grade at Oakwood, applied for the fourth at Norview; Thomas finishing the eighth grade at Ruffner, applied for the ninth at Norview High.

• • •

LANELL ARMSTRONG, 9, Stanley Armstrong, 6, and Betram B. Armstrong, 7, children of Major and Mrs. Bennie Armstrong, Hampton Roads Army Terminal. Lanell, completing the third grade at Titustown, applied for the fourth at Meadowbrook; Stanley and Betram, preschoolers, for the first grade at Meadowbrook.

Patricia A. Turner, 13, and James A. Turner Jr., 11, children of SD1SS James A. Turner, USN, and Mrs. Turner, 924 Johnston Rd., Chesapeake Manor Gardens. Patricia,, finishing the seventh grade at Ruffner, applied for the eighth at Norview Junior High; James, finishing the sixth grade at Oakwood, applied for the seventh at Norview Junior High.

• • •

WALTER LEWIS Bryant, 15, and Daniel Bryant, 6, children of Mr. and Mrs. Walter L. Bryant, 7021 Selma Ave., Oakwood. Walter, finishing the ninth grade at Jacox, applied for the 10th at Norview High; Daniel, a pre-schooler, for the first grade at Norview.

THE ACTION taken in Norfolk came less that a week after Federal Judge Walter E. Hoffman had placed into effect his February 1957 order for desegregation in Norfolk ond Newport News.

Third Virginia City Faces Racial Decree

News

P. 1

Jackson Miss

Sun 6-[illegible]-58

NORFOLK, Va. (UPI) — The city of Norfolk Saturday became the third Virginia locality to face an apparent showdown between a federal court order to desegregate in September and state laws that would close any school in which mixed classes were taught.

U. S. District Judge Walter E. Hoffman, in a 35-minute hearing to determine the status of his 16-month-old desegregation orders against Norfolk and neighboring Newport News, held that his order against Norfolk was in full effect and that Norfolk must desegregate in September. The hearing was scheduled after the Supreme Court last October refused to review Hoffman's original rulings of February 1957 against the two cities.

But the desegregation order against Newport News, across Hampton Roads, appeared to be headed for more litigation because of a technicality. The city will consolidate with its adjoining city of Warwick July 1, and attorneys defending Newport News indicated strongly they would argue further on how the ruling would apply to the consolidated city.

Hoffman admitted his order, as it applies to the new city, would be a different matter from the one against the present city of Newport News.

Two other Virginia localities, Arlington County and Charlottesville, have been ordered to desegregate in September. Appeals in both cases apparently have been exhausted.

Thirity students are seeking admission to white schools in Charlottesville in September, and approximately 20 have filed for admission in Arlington. None have been accepted.

Va. Parents Would Admit Negroes Rather Than Close Public Schools

World P.1 Atlanta, Ga. Fri 6-13-58

CHARLOTTESVILLE, Va. — (UPI) — White parents facing an integration showdown have voted 177-128 to let their children go to class with a few Negroes here rather than see the school shut down, it was disclosed Thursday.

However, 138 other parents questioned in the poll did not vote.

The Parent-Teachers Assn. of Venable Elementary School made public the result of a survey in which parents were asked to choose between a "measure of integration" or a "closed public Venable school."

The results were 177 for partial integration; 128 for closing the school and 138 not voting.

Thirteen Negro students have applied for September admission to the school under an order by U. S. District Judge John Paul for Charlottesville to desegrate its schools next fall.

PHRASING CALLED INDEFINITE

There was no official comment by cit or state leaders on the pool but it brought immediate criticism from segregationists here.

"The questionaire solves nothing," says Robert Ready, who ran for City Council on a segregationist ticket last year.

"If the question had read: 'Do you favor integration or the closing of the school?" he said, "the results of the poll would have been different."

"There is no such thing as partial integration," he added.

Ready said the 138 who did not respond "realize there was no choice and did not feel the question justified an answer."

Mrs. Morris Brown, head of the Council on Human Relations here, said the outcome of the poll, was "gratifying."

"When the entire community has become aware of the actual choice before it," she said, "I believe they will accept a similar preference."

SUPERINTENDENT SILENT

Results of the poll were turned over to the School Board at its regular meeting Thursday night but School Superintendent Fendall R. Ellis made no comment.

He said, however, that the board would not consider the applications of the 13 Negroes seeking admission to Venable School, nor those of 17 other Negroes who seek admission to other Charlottesville schools, before July.

Gov. J. Lindsay Almond was not available for comment. However when told that the poll was being conducted last week, he said he did not understand "a measure of integration" and asserted that "there is no such thing."

Norfolk, Va. Ordered To Desegregate By September

Atlanta World

NORFOLK, Va. — (UPI) — The city of Norfolk became the third Virginia locality to face an apparent showdown between a federal court order to desegregate in September and state laws that would close any school in which mixed classes were taught.

U. S. District Judge Walter E. Hoffman, in a 35-minute hearing to determine the status of his 16-month-old desegregation orders against Norfolk and neighboring Newport News, held that his order against Norfolk was in full effect and that Norfolk must desegregate in September.

P.1

Sun. 6-8-58

The hearing was scheduled after the Supreme Court last October refused to review Hoffman's original ruling of Feb., 1957 against the two cities.

Atlanta, Ga.

MORE LITIGATION

But the segregation order against Newport News, across Hampton Roads, appeared to be headed for more litigation because of a technicality. The city will consolidate with its adjoining city of Warwick July 1, and attorneys defending Newport News indicated strongly they would argue further on how the ruling would apply to the consoildated city.

Hoffman admitted his order, as it applies to the new city, would be a different matter from the one against the present city of Newport News.

TWO OTHER LOCALITIES

Two other Virginia localities, Arlington County and Charlottesville, have been ordered to desegregate in September. Appeals in both cases apparently have been exhausted.

Thirty students are seeking admission to white schools in Charlottesville in September, and approximately 20 have filed for admission in Arlington. None have been accepted.

Virginia Has Riot Squads To Prevent 'Little Rock'

Atlanta World

P.1

RICHMOND, Va. —(ANP)—The two forces arrayed against each other in Virginia over the issue of integration versus segregation of the public schools are busily girding their loins for the battle slated to come next September when the schools are supposed to begin mixing the races.

Wed. 6-11-58

Almost daily, each side is getting reinforcements, perhaps unwillingly in some instances, but nevertheless, such support that may mean the state will be split sharply down the middle on the issue and perhaps an outbreak of violence.

Atlanta, Ga.

CRACK FORCE TO QUELL DISORDERS

With the latter in mind, two cities— Richmond and Fairfax— have organized "riot" squads to cope with expected civil disorders come September.

In Richmond, the team is undergoing vigorous training at the police academy. Squad members, all volunteers, are a highly selected group, said to "possess the qualities needed in civil disorders; dependability, bravery, even tempers, common sense and muscles." There are two Negro patrolmen on the team.

In Fairfax, crack troops, consisting of 50 trained men, will be decked out in battle array. Their equipment will include steel helmets, ags masks, boots, gas guns, shotguns, walkie-talkies, hand grenades and .38 calibre revolvers. In short, just about everything needed for a small scale war. There will even be paratroopers in use.

RAP "PRIVATE" SCHOOLS

Another development turned up on the side of integrationists in the Arlington county area. A membership drive is being conducted among residents to organize a committee "opposed entrusting public education to private hands having no responsibility or accountability to the general public." She added that the group "is not concerned with perpetuating segregation in schools or hastening integration."

TIT FOR TAT

This development followed on the heels of a paradoxical plan, under which white pupils will enroll in Negro schools as a retaliatory move. A state law provides for the closing of any public school integrated under federal court order.

14d(1) 1958

VIRGINIA

Negro Virginians Apply To Enter All-White School

Call
P. 1
Kansas City Mo
Fri 5-30-58

CHARLOTTESVILLE, Va. — (NNPA)—Two colored children applied Wednesday for admission to an "all-white" school here next September.

The applications, made during pre-registration for the fall opening, were the first since Federal District Judge John Paul on May 12 set next September as the effective date for a desegregation decree.

The name of neither student was disclosed by school officials. Both will be first graders and both sought admission to Venable Elementary school.

Superintendent Fondall R. Ellis confirmed a report Wednesday afternoon that one colored child, accompanied by his parents, had applied during the morning. Later in the afternoon, Venable Principal D. Mott Robertson said a second one had applied.

Judge Paul earlier this month ordered the Charlottesville school board not to bar colored pupils from white public schools on the basis of race, beginning next September.

Judge Paul originally ordered desegregation effective in September, 1956, **but stayed the order pending appeals and legal tests of Virginia's "massive resistance" program. The judge at that time also enjoined the Charlottesville School Board from requiring compliance with Virginia's Pupil Placement Act.**

Venable school serves the northwest section of the city where many of the city's higher income families live. Most persons associated with the University of Virginia also live in that area.

Venable's grounds are bordered on the east by a colored residential section which is served by Jefferson school, the only city elementary school for colored pupils. The two schools are about three-quarters of a mile apart.

George Ferguson, president of the Charlottesville branch of the NAACP, said the applications were a surprise to him and that he did not know the names of the parents concerned.

Call Writer Explains Virginia's Strange Integration Predicament

By BOB GREENE

Call
P. 3
Kansas City Mo
Fri 5-30-58

What exactly does Monday's Supreme Court decision to integrate schools in Arlington county, Va., mean? Why did the governor of the Commonwealth of Virginia, J. Lindsay Almond react so violently at the Governor's Conference in Miami Beach, Fla.?

Gov. Lindsay said, "We (Virginia) have state laws which we believe to be intact and they will be applied in an honest effort to save public education from the (integration) chaos which these decisions would impose upon it."

If Arlington, Newport News, Norfolk, Richmond and other cities in northern, central and southern Virginia don't want integration, why did Virginians in the northwestern section of the state welcome the Supreme Court's decision

The answers to these and other questions are very simple once the background of the situation is known.

One answer for continued segregation in the state is very obvious. The state is considerably below the Mason-Dixon line, the mythical boundery that seprates the "slave" states from the "non-slave" states. Every since slavery began, the state of Virginia was one of those that supported the idea and, as everyone knows, seceded from the Union on April 17, 1861, to preserve its "southern way of life."

Another cause for continued segregation is Virginia's large Negro population. Only seven other states have a larger number of Negroes than Virginia, and those seven include New York and Texas.

The Old Dominion, in 1950, had 734,211 Negroes, 2,914 other races and 2,581,555 whites. An estimated 1955 census raised Virginia's 1950 total of 3,318,680 persons to 3,579,000. With this overall rise in population it is only reasonable to assume that the Negro population rose at least in the same percentage.

But actually these basic facts do not point out Virginia's real reason for its supposedly "about-face" attitude — three-fourths of the state for segregation and one-fourth for integration.

To evaluate, correctly the reasons stated previously let's divide the answer into three separate but correlated divisions or categories.

(1) Population densities,
(2) Education, and
(3) Job opportunities.

Now, although the population figures have already been stated, the percentage or density of Negroes differs greatly from section to section.

Eighty per cent of all school children in Susex county are Negroes. Negroes also comprise the majority of school children in other southeastern and central counties such as Prince Edward and Prince George.

However, there are very few Negroes in Alleghany, Craig, Bath, Highland, Augusta and Rockingham counties, all in the northwest section of the state. These divisions are situated on the West Virginia border.

The Negro children who live in these counties are sent away from home to large cities such as Charlottesville, Roanoke and Richmond or receive their education in a segregated classroom. The county pays for the student's transportation, room and board and costs while attending schools. For a county such as Alleghany this method poses a serious drain on the treasury.

Next, to completely evaluate the entire situation in the Cavalier State, education and job opportunities have to be looked at together. In Virginia, as in all other southern states and a number of northern states too, the only white collar job open to Negroes is teaching Consequently Hampton, Virginia State, Virginia Union and a number of smaller colleges are graduating more teachers every year than all other professions put together.

Also it must be realized that a teachers salary depends mainly on what degree she holds. Therefore it is not uncommon to find a fifth grade teacher with a Ph.D. or a kindergarten instructor with a master's degree.

A great majority of the white teachers have only teaching certificates, issued mainly because of the great lack in qualified teaching personnel.

Consequently, if the schools in Virginia were integrated immediately and the teachers hired according to their qualification, not only would the majority of school children in, say, Sussux county be Negroes but the Negro teachers would completely dominate the school system.

One amusing sidelight to the Virginia integration - segregation problem is that the Negro teacher is much better paid than his white counterpart and the white teacher is not satisfied with this arrangement.

For Highland county, Va., the Supreme court's May 14, 1954, decision was a blessing from heaven — a way to save money. If these sparsely-settled counties desegregated today there would be only one Negro in each class of 30 children. In some sections there would be even less.

Call
Fri 5-30-58

School Closing Foes Backed in Arlington

Star
P. A-31
Wed. 6-4-58
Washington, D.C.

An organization being formed in Arlington with the goal of keeping schools open by legal means was backed last night by the county's Civic Federation.

Without opposition, the Federation by a voice vote gave its support to the Committee to Preserve Public Schools.

Twenty-three Arlington residents, headed by O. Glenn Stahl, a former school board member, last month announced that they were organizing the new citizens committee because of the pending racial crisis in the schools.

A Federal Court order to admit seven Negro children to white schools in Arlington was upheld last month by the Supreme Court. Since then, 14 other Negro children have asked for enrollment in white schools this September. The fifteenth application was received late yesterday from a Negro seeking enrollment at Wakefield Junior-Senior High.

Under Virginia law, a school automatically closes if integration takes place.

No Delays Predicted

Before last night's vote, the Federation heard Edmund D. Campbell, an organizer of the new citizens group, predict that Virginia will not win additional desegregation delays from the Federal Courts.

Mr. Campbell, who is an attorney, told the group: "The sands appear to have run out."

In urging support for the citizens group, Mr. Campbell said that Arlington and other Virginia communities under desegregation orders may be the "battlefield" of a classic Federal-State struggel this fall.

And, he said, with Arlington situated in the shadow of the Nation's Capital, the Federal Government will be particularly anxious to enforce its court order, while Virginia will want the county "to stand as a bulwark against integration."

Mr. Campbell said that organizers of the schools committee have been in touch with "leading cititzens" in Norfolk and Charlottesville—two of the other communities where desegregation orders are due to take effect in September.

As in Arlington, he said, the people there are "overwhelmingly" in favor of keeping schools open. Some "informal co-ordinating work may be dnoe in these three communities," he added.

Mr. Campbell said that a public meeting would be held next week, probably on June 12, to set up a permanent organization for the citizens group.

During his talk, Mr. Campbell emphasized that the committee's platform called for keeping schools open, but states that it is not concerned with either maintaining segregation or hastening integration.

Other Federation Action

In other action, the federation urged defeat of a referendum proposal to eliminate annual county board elections in favor of voting on even-number years. The referendum will be decided at the July 15 Democratic primary.

One objection listed in the resolution to even-numbered-year voting was that local issues would be overshadowed by the national campaigns.

The federation also asked the county electoral board to provide separate voting machines and tally records for voting in the primary and on the referendum. This action was taken after several delegates said that many Federal workers would not vote on the referendum if their names were to be listed as balloting in a party primary.

Vengeance In Arlington

"VENGEANCE is mine," saith the Lord. This warning is being completely forgotten, or ignored, by a leader of the principal state group organized to help retain segregation in schools, and otherwise, despite repeated court rulings to the contrary.

Journal and Guide

Looking ahead to the impending integration of seven or more Negro youths in Arlington county public schools, under a District Federal Court order, reaffirmed by the U. S. Supreme Court, the Defenders of State Sovereignty and Individual Liberties have devised a plan of counter-attack that is the ultimate in vengeance, vindictiveness, retaliation, and shortsightedness.

Sat. 5-31-58

The basic plan is to use 90 white children volunteered from 30 families belonging to the Defenders in a move aimed at an admittedly tit-for-tat closing of a Negro school for each previously all-white school attended by so much as one colored child. This would be accomplished by the enrollment of white children in a previously all-colored school, in numbers equal to the number of Negroes enrolled. in their case by court directive, in any given white school.

Norfolk, Va.

The purpose of closing would be achieved, as explained by a Defender leader in Arlington, one JACK RATHBUN, under the maze of laws passed by a cowed Legislature under former Governor THOMAS STANLEY and further implemented and "refined" under the aegis of present Governor J. LINDSAY ALMOND.

Under these laws integration of a school in either racial direction is to be followed by instant closing of that school. If it is an elementary school the governor has legislative authorization also to close all other elementary schools. If it is a high school, or junior high school, he can also close all others in that category.

He does not have to return a closed school to the locality, even though it has been built and maintained wholly or nearly so, by local funds and maintained and staffed with monies primarily raised by the local or county taxpayers of both races.

If, under some hard-to-imagine circumstances, Mr. ALMOND would return a closed school to the local authorities and they abided by the law of the land and admitted colored students qualified for admission under the terms of the court decree, then he would apply the cut-off of state funds to that school district, adding to the burden of taxpayers.

Teachers of closed schools would still be paid, at least for the term of their contracts (almost invariably of one-year duration), because of those contracts. So the major operational outlay for schools, teachers' salaries, would continue at a time when the public educational machinery itself ground to a halt.

A good number of people, even those honestly favoring a continuation of complete school segregation, must be shocked deeply by the Defender scheme. The very organization which supports massive resistance to integration, itself would become an instrument for integrating white children into Negro schools. The ironical situation bares the real hand, the deep motives, of the Defenders and those they speak for.

The Arlington outlook is dismal. It is also retaliatory, punitive, and senseless. It will increase bitterness, resentments, and tensions at a time the state can ill afford more of that. It is grist for the mills of those behind the unspeakable indignities committed against Vice President and Mrs. NIXON in South America, and which undermines American influence and prestige in important areas of the world at a time we are engaged in a cold war that any moment could flare into the deadly and devastating heat of hydrogen-atomic attack.

Those not entirely numbed by their shock and shame at the Defender-RATHBURN strategy will also think that maybe it is an ill wind that blows nobody good.

That is, when white children are denied a free schooling because a minute percentage of its enrollment is non-white — and when, in cold-blooded retaliation, a scheme is employed to close unaffected Negro schools—it is our conviction that the people of Virginia, long cowed and intimidated into compliant silence, will be heard from in a way that will hasten the day of justice, obedience to law, and maintenance of unimpaired public education for all.

Negroes Asking Integration In Prince Edward Schools

~~News + Couri~~ News + Courier

RICHMOND, Va. (AP) —Desegregation of Prince Edward County schools by this September was asked by Negro attorneys in federal district court here Friday.

P. 5-B

Judge Sterling Hutcheson set July 14-15 for arguments on the motion.

Sat. 6-7-58

This brings to three the school districts in Virginia in which the National Assn. for the Advancement of Colored People is seeking an end to segregation by the opening of schools next fall. They are expected to add Norfolk and Newport News to the list Saturday.

Federal District Judge Walter E. Hoffman has scheduled a hearing in Norfolk Saturday in the Norfolk and Newport News school segregation cases at the request of NAACP lawyers. Federal judges already have ordered desegregation of schools in Charlottesville and Arlington County by this September.

Charleston, S.C.

Judge Hutcheson Friday ordered the additional hearing in the Prince Edward case over the objection of NAACP lawyers.

14d(1) 1958

VIRGINIA

'Not Distressed....'

Texas shenanigans please lawyers

Afro American
P.1
Sat 1-4-58
Baltimore, Md.

DALLAS, Texas — "Nobody here is distressed by it. It opens an avenue for us to follow to the Supreme Court to get, once and for all, a clear definition of what it means by 'deliberate speed.'"

That was the view of NAACP attorney U.S. Tate Saturday morning when asked by the AFRO to comment on the Federal Court decision permitting a further delay of Dallas public school integration.

Attorney Tate, who is associated with Thurgood Marshall of New York, and W. J. Durham of this city, in the battle to integrate Dallas public schools, said no immediate decision has been made as to the next step to be taken by the NAACP.

14(1)

* * *

"WE HAVEN'T even received the full text of the opinion as yet," Tate told the AFRO. "When we do get it, we'll have to give it a little study and then decide.

"I can say right now, though, that nobody here is distressed by it. In fact, the way I see it, this could give us the opportunity to go into the United State Supreme Court and ask for a clarification of 'deliberate speed.'

"That is the weak link of the Supreme Court decision on integration. What does it mean by 'deliberate speed?'

"Does it mean right away, as it was taken to mean in Baltimore and Washington? Does it mean when you catch up with us as it was apparently interpreted in Delaware?

* * *

"DOES 'deliberate speed' mean to begin now and end it three years later as in West Virginia? Or does it mean when we get good and ready, as the Dallas school board seems to think?

"Understand, I'm not saying that is definitely to be our next step — although I think it would be a good one. As I explained, the lawyers will have to kick it around first before any firm decision is made.

"There is one thing, though, I am sure of: When the Dallas school case is finally disposed of, as far as the legal issues are concerned, the whole problem of integration in Texas will be settled.

"Another thing I can assure you is that we here are confident that we're getting a hell of a lot accomplished."

* * *

THE FIFTH Circuit Court of Appeals in New Orleans on Friday overruled an order by District Judge William T. Atwell calling for integration of the Dallas schools in January.

Judge Richard T. Rives wrote the opinion, concurred in by all three judges, that Judge Atwell had gone beyond the mandate of the higher court when he ordered the mid-term discontinuance of segregation.

The appellate branch told the judge, however, it still was his duty to see that integration is brought about within a reasonable period.

Virginians fight segregation order

News P.1
Wed 1-1-58
Birmingham
Alabama

RICHMOND, Va., Jan. 1—(P)—The U. S. Supreme Court has been asked to review and set aside a lower court order directing Prince Edward County to make "a prompt and reasonable start" toward school desegregation.

In an appeal to the court yesterday, counsel for Prince Edward submitted that the Fourth Federal Circuit Court of Appeals exceeded its prerogative in setting aside a lower court decision which declined to fix a desegregation deadline for the county.

The Appeal Court overruled Federal District Judge Sterling Hutcheson and ordered the county to make a prompt start toward desegregating its schools. Chief Judge John J. Parker has stayed the Circuit Court's order pending the appeal.

Prince Edward counsel told the Supreme Court that desegregation in Prince Edward would lead to closing of the public schools.

Ky. parents demand integration 'immediately'

Afro American
P. 17
Sat 1-4-58
Baltimore
Md.

LEXINGTON, Ky. — In a petition filed in U.S. District Court here just before the holidays, parents of eight children asked the court to order an end to segregation in Owen County schools.

The petition points out that the seven elementary and one high school pupils satisfy all requirements for admission to the formerly all white schools, to which they have sought admission for two or three years, the last time early in December.

* * *

THEY ASK for an injunction ordering immediate admission of the plaintiffs and others similarly situated to "existing elementary and high schools" and that racial restrictions for admission be abolished.

In the petition, filed by James A. Crumlin of Louisville and Jack Greenberg of NYC, attorneys, it is pointed out that there is no high school here for colored children.

On the other hand, the lawyers assert, Owen County maintains an elementary school exclusively for white children, an elementary school exclusively for colored children and a high school for white pupils only.

* * *

PLAINTIFFS IN the suit are Lawrence T. Grimes, son of Mr. and Mrs. Raymond Grimes; Joseph W. Jr. and Mitchell W. Smith, sons of Mr. and Mrs. Joseph W. Smith; Barbara A. Betsy J., Phil S. Johnny W. and Vernon Sanders, children of Mr. and Mrs. Howard Sanders.

Vernon Sanders was listed as the only pupil of high school age.

Superintendent Howard C. Smith and members of the Owen County Board of Education were named defendants in the suit. No comment has yet been forthcoming from Mr. Smith.

Va. Assembly gets 2 new school bills

Afro American P. 20
P. 20
Baltimore
Md
Sat 2-15-58

RICHMOND, Va. (NNPA)— State Sens. Armistead L. Boothe of Alexandria and Ted Dalton of Radford Tuesday introduced legislation to repeal Virginia's law requiring automatic closing of a public school if a single colored child is admitted to a white school and substitute a local pupil assignment program beginning next Aug. 1.

Boothe, a Democrat, and Dalton, a Republican, have twice previously unsuccessfully sponsored pupil assignment bills. As the Republican candidate for governor, Dalton campaigned on a platform calling for local pupil assignment.

The three bills offered by the two senators would repeal the laws requiring the closing of any school where integration takes place and return to local school boards of the authority for assigning pupils to particular schools.

THE BILLS SET FORTH a number of grounds, excluding race, on which local school boards would be authorized to assign pupils.

In a joint statement the two senators said their bills represent an attempt to meet in a constructive and conservative way the issues of maintaining racial segregation in the public schools and saving the public school system.

Gov. J. Lindsay Almond has called the idea of local pupil assignment legalized integration, supports anti - integration laws, and, in addition, has brought about the introduction of a bill to close any school patroled by Federal troops.

* * *

IN OTHER ACTIONS in the General Assembly, two bills were introduced in the House of Delegates Tuesday to add to the state's efforts to curb the NAACP.

They were offered by Delegates John B. Boatwright of Buckingham and James M. Thomson, chairmen of two assembly committees which investigated the role of the NAACP in anti - segregation suits.

Boatwright's bill would require corporations such as the NAACP to include names and addresses of all Virginia members in their annual report to the State Corporation Commission.

The Thomson bill would authorize the state attorney general to prosecute cases charging the unauthorized, illegal or unlicensed practice of law.

Questionnaire On Segregation Is Challenged

Star
Washington D.C.
Fri. 6-6-58
P. A-18

CHARLOTTESVILLE, Va., June 6 (Special).—E. J. Oglesby, president of the local chapter of the Defenders of State Sovereignity and Individual Liberties, today challenged the segregation questionnaire sent to Venable School patrons as presenting two "Tweedledee and Tweedledum" choices.

"Surely there are more preferences among the people than 'some measure of integration' and 'closed schools,," Mr. Oglesby said.

Parents have been asked to check one of the two preferences in a questionnaire sent out this week by the Venable School Parent-Teacher Association Board.

Mrs. Lester A. Wilson, jr., president of the PTA Board, said yesterday that the questions represented the only possible choice "as we see it."

Thirteen Negro children have applied for admission to Venable School.

Mr. Oglesby said in addition to the two choices listed in the questionnaire "there are choices of total integration; no integration; Federal troop surveillance; conditions similar to those in Little Rock; violence; degraded educational standards, and a host of others."

Appeal Ruling Hits Virginia School Law

Advertiser P. 11
Montgomery, Ala
Thur 2-13-58

RICHMOND, Va., Feb. 12 (AP)—Officials of the State of Virginia and Arlington County suffered another legal setback today in their efforts to keep Negroes out of white schools in the county.

In a terse ruling, the U.S. 4th Circuit Court of Appeals upheld an order by Federal District Judge Albert V. Bryan instructing Arlington School officials to admit seven Negro pupils to four white county schools.

"We think the order was clearly proper for reasons adequately stated in the opinion of the district judge and nothing need be added to what was said there," the Circuit Court opinion stated.

Lawyers for the Negro children contended the pupils were denied admission to white schools when they applied last Sept. 9. A hearing was held Sept. 11. Three days later Bryan ruled that the seven children should be admitted to schools nearest their homes—in each case a white school.

It appeared that the state will ask for a stay of Bryan's order and apply to the U.S. Supreme Court for a review of the case.

Bryan's order was suspended pending the outcome of the appeal. The state now has 30 days in which to ask the Circuit Court to stay its decision and 90 days in which to ask the high court to review it.

The Arlington case is the only one in Virginia which involves the specific applicaton of a Negro pupil to attend a white school. It is also the only case involving a specific test of the state's Pupil Placement Act.

Ruling to admit Virginia Negroes to schools upheld

News P. 14
B'ham Ala
Thur 2-13-58

RICHMOND, Va. Feb. 13—(AP)—Officials of the state of Virginia and Arlington County suffered another legal setback yesterday in their efforts to keep Negroes out of white schools in the county.

In a terse ruling, the U. S. Fourth Circuit Court of Appeals upheld an order by Federal District Judge Albert V. Bryan instructing Arlington school officials to admit seven Negro pupils to four white county schools.

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Simpler Pupil Placing Is Proposed in Virginia

Star Washington D.C.
Fri 2-14-58

Almond Backs New Bill Partly Based On North Carolina's as Legal Bulwark

By MARY LOU WERNER
Star Staff Writer

P A21

RICHMOND, Feb. 14—A simplified student placement bil. patterned partly after North Carolina's, was ready to be introduced in the Virginia House of Delegates today, with Gov Almond's backing.

It would shorten the appeal procedures set up in the present Virginia law, remove the Governor altogether from the placement machinery and give the placement board power to assign pupils when their parents refuse to fill out applications for them.

House Speaker E. Blackburn Moore is chief patron. All other House members who sponsored the original State placement law in 1956 are expected to sign as co-patrons of the new measure, virtually assuring its passage.

The revised version of Virginia's No. 1 defense against school integration was described by the Governor yesterday as a move to "strengthen" the State's legal position and meet objections raised by Federal judges to the existing placement law.

Cites Court Approval

Gov. Almond acknowledged that placement standards in the new bill are borrowed from North Carolina, where some Negroes have been admitted to white schools. He said the North Carolina standards were used because they had met the approval of the Fourth Circuit Court of Appeals in racial litigation arising in that State. By contrast, Virginia's placement law has suffered one legal setback after another.

But the Governor emphasized that it was still the policy of Virginia "and I think it will remain that we cannot operate our public school system on the basis of racial mixture."

Sponsors of the new bill also pointed out that it retains the State Placement Board, whereas North Carolina allows local school boards to place pupils.

The North Carolina placement law figured prominently in last fall's gubernatorial campaign, with Gov. Almond calling it a plan to legalize integration, and his Republican opponent, State Senator Ted Dalton, urging its adoption in Virginia. Asked if some sources might contend the new bill means Virginia is coming around to North Carolina's approach, Gov. Almond insisted that there is no change so far as State segregation policy is concerned.

Other Laws in Support

The placement law is only the first part of Virginia's anti-integration program. It is backed up by additional laws that provide for the automatic closing of any school where integration occurs and the withholding of State school funds from any locality which sttempts to operate mixed classes.

Major revisions in the placement law would be as follows:

1. Under the present law, students dissatisfied with assignments made by the placement board must first appeal to the board for a rehearing, and then appeal to the Governor before taking their case to court. The new law deletes the Governor from the appeal process, and provides for a direct appeal to State courts from the placement board. Gov. Almond estimated this change would shorten the present appeal procedure for as much as 45 days. It has been estimated the present procedure would take more than three months.

2. The complex standards set out in the present Virginia law are supplanted by criteria borrowed from North Carolina, which states that children shall be enrolled "so as to provide for orderly administration of public schools, competent instruction of pupils enrolled, and health, safety, and welfare of the pupils so enrolled." The present law sets forth eight standards to be weighed by the placement board, including such things as "the sociological, psychological, and like intangible social scientific factors as will prevent as nearly as possible a condition of socio-economic class consciousness among the pupils."

Removes "Efficient"

3. The word "efficient" is deleted from the new law. A link between use of the word "efficient" in the placement law and its definition in other State statutes as meaning a segregated school has been one factor in adverse court decisions.

4. The placement board is given authority to assign students without applications when parents decline to supply them, provided information required for making such assignments can be obtained. Gov. Almond said this would cover cases like that of the DeFebio brothers in Fairfax County, who have been out of school since last April because their mother objected to signing placement applications for them.

5. Authority for issuing summonses is given the placement board to help carry out its assignment duties. Presumably, this would assist the board in cases where parents decline to supply applications or information required to make student assignments.

Virginia Is Facing School Bias Crisis

Times P. 1

By ANTHONY LEWIS
Special to The New York Times.

New York, N.Y.
Mon 2-17-58

WASHINGTON, Feb. 16—Virginia, a leader of Southern resistance to school integration, now faces an inevitable choice of allowing some Negroes to attend white schools or closing the schools.

The showdown is likely to come at the start of the new school term next September. Recent developments make it virtually certain that at least four areas in Virginia will be under final court orders at that time to begin school integration.

One is Arlington County, a Washington suburban area. The United States Court of Appeals for the Fourth Circuit affirmed last week an order directing admission of seven Negro children to white schools. A petition for

14d(1) 1958 VIRGINIA

Secret File on Student Personality Denied by Arlington School Officials

Post + Times Herald, P-A9

1420

Arlington County school officials denied yesterday that comments written on report cards by teachers are entered on students' permanent personal records.

In response to complaints about "secret" personality files voiced by some witnesses at a County Board meeting Wednesday night, the school administration described the contents of "cumulative records folders" maintained on students.

Washington, D.C.

School Superintendent T. Edward Rutter said the personal records have been explained "again and again," and stressed that "there is no desire to conceal information which would help parents."

A School Board member, Robert A. Peck, who belongs to the conservative AIM faction, has charged that "a lot of parents in the County are not aware that a personality trait check list is being kept."

Rutter conceded that not all Arlington parents are aware o fthe records, and blamed this on the County's large population, the high turnover rate and problems of school communications.

Fri 4-4-58

The controversy over student records developed this week when School Board member Helen S. Lane said she used ink eradicator to erase a comment written on her son's report card by a teacher at Wiliamsburg Junior High. Mrs. Lane said she did not want the comment entered on her son's permanent record.

At issue is an 8½x11-inch blue "summary of growth" card kept in the records folders of junior and senior high school students. School officials said yesterday that the cards, which consists of checklists, are filled out without reference to report cards.

The "summary of growth" cards, maintained as a reference source to enable schools to answer inquiries from colleges and employers, permit teachers to check comments in the following categories:

Self control; ability to adjust to groups; dependability and responsibility; personality influence; emotional stability; alertness; personal appearance, and teachers' personal impression.

Critics of the school administration have voiced particular objections to the last two categories. Under the heading of "teachers' personal impression," teachers may check any of the following comments:

Definitely unattractive—personality a handicap: colorless or mildly attractive; average; attractive person who would fit almost anywhere; extremely likable and winning personality.

Rutter said yesterday he did not regard the comments on teachers' personal impression and personal appearance as necessary, and pointed out that they have been dropped from a new form introduced this year at Wakefield High School and slated to replace the blue card eventually.

Only teachers and school administrative personnel have direct access to the "summary of growth" cards and other items in the students' personal record folders, Rutter declared, but all data is discussed with parents.

Besides the "summary of growth cards," the record folders contain such data as cademic grades, teachers' and doctors' health reports, testing results and "personal data" cards noting such information as broken homes or foreign language environments.

Similar records are maintained on a confidential basis by most school systems in the Washington area and throughout the United States.

SCHOOLS MAY CLOSE IN VIRGINIA COUNTY

1430

Action Seen If Integration Is Enforced

NO REHEARING PLANNED

Special to The Commercial Appeal

NASHVILLE, April 4. — The public schools of Prince Edward County, Va., will probably be closed in September if the state fails to find legal means to prevent integration, Southern School News reported Friday.

If closing comes about, it would be the first move to close schools in the South since the Supreme Court's anti-segregation decision nearly four years ago.

Commercial Appeal P5
Sat 4-5-58

The publication's Virginia correspondent reported that "there is virtually unanimous agreement that the schools of Prince Edward will be closed under state law, and that white residents of the county will carry out their plan to operate a system of private schools for white children."

Negroes Predominate

Memphis Tenn

The county and the state of Virginia recently lost an appeal to the Supreme Court and will not ask for a rehearing. Negro children predominate in Prince Edward, a "Southside" county near the North Carolina border.

Elsewhere on the school front, Southern School News reported further desegregation plans in Louisville, Ky., and Newark, Del. Pine Bluff, Ark., which two years ago scheduled desegregation for September 1958, announced it would delay its plans because of incidents at Little Rock.

A summary of major developments state-by-state follows:

ALABAMA — The state's pupil placement law, challenged by four Negro children who have sought to enter two all-white schools in Birmingham, was taken under advisement in Federal Court.

ARKANSAS—Desegregation at Pine Bluff, scheduled for September, 1958, will be postponed because of events in Little Rock. Gov. Orval Faubus filed as a candidate for a third term.

DELAWARE—A "Little Rock" school-closing bill was defeated for the third time in the Legislature but kept alive by a parliamentary maneuver. Each vote has been closer. Racial and community relations betterment efforts were reported from several areas.

Cited For Contempt

DISTRICT OF COLUMBIA — Carl F. Hansen, a leading administrative figure in Washington school desegregation, was named acting superintendent of the capital's school system.

FLORIDA — One witness stalked ut and 15 were cited for contempt in a legislative probe of possible ties between integration leaders and communism.

GEORGIA—The county unit electoral system, long regarded as a segregation bulwark, was challenged by Atlanta Mayor William B. Hartsfield in a lawsuit. Effect of the system is to insure rural domination of the Legislature.

KENTUCKY — Segregation-desegregation was not raised one way or the other in the biennial session of the Legislature. Louisville is closing a Negro school this summer, at a sizeable saving, and transfering pupils to mixed schools.

LOUISVILLE—As Senator William Rainach's committee prepared new pro-segregation bills for the May legislative session, the segregation leader said that the South would not only retain "racial separation" but would export the idea to "a very receptive North."

MARYLAND — Appeals were planned by the NAACP from two rulings by the state Board of Education considered adverse to Negro plaintiffs in two counties. Negro elementary enrollment ince 1945 in Baltimore has increased at three times the white nicrease.

MISSISSIPPI—Public schools gave way to other issues, including a voter registration suit and controversy over discussion of segregation-desegregation at two colleges.

MISSOURI—St. Louis reported as a "perplexing problem" the necessity of absorbing large numbers of Negro children who have moved into local schools from the South.

NORTH CAROLINA — Judges, juries and police were cracking down on Ku Klux Klan activities, and bothe segregationists and integrationists were attacking operation of pupil placement.

OKLAHOMA—A local district offered the first test of the state's fiscal policy which encourages desegregation, seeking continued state aid for separate schools.

SOUTH CAROLINA — Democratic and Republican state conventions projected the race question farther into politics, while candidates in the forthcoming Democratic primary stepped up their activities.

TENNESSEE—Persons as yet unnamed dynamited the Nashville Jewish Community Center in an incident linked with school segregation - desegregation. The capital city's School Board got conflicting proposals on further steps in court-ordered desegregation and the board approved a year-at-a-time plan.

Colleges Desegregated

TEXAS—Thirty-five Texas colleges ar desegregated in practice and eight others as a matter of policy, the first comprehensive state-wide survey showed.

VIRGINIA—The state said it would not ask for a rehearing in the Prince Edward County case, denied review by the United States Supreme Court. The Legislature completed action on new pro-segregation laws.

WEST VIRGINIAJNAACP attorneys may seek legal action to speed up desegregation in Cabell and Raleigh Counties, where it is charged "progress" of desegregation is slow.

Pastor Tells Of Fight To Integrate Virginia Schools

[illegible]

PETERSBURG, Va. (ANP)—The Rev. Leslie F. Griffin, pastor of First Baptist Church, Farmville, Va., told the story of the struggle of colored parents in Prince Edward County, Va., for the end of segregated public schools in the county in an address opening the membership drive of the NAACP branch here in Petersburg.

Rev. Mr. Griffin, who has been the target of white businessmen in the Farmville area, played the leading role in the suit for desegregated schools which was argued before the U. S. Supreme Court.

Advocate of Integration To Be Guest Speaker Here

Post & Times Herald, P C8

Sa 4-19-58

Sarah P. Boyle, Charlottesville (Va.) advocate of school integration, will be guest speaker at Shiloh Baptist Church, 9th and P sts. nw. Sunday at 11 a. m. and 8 p. m.

A descendant of a famous Virginia family, Mrs. Boyle has lectured widely in support of integration. A cross has been burned on her lawn and she has received several hundred threatening letters and telephone calls. She has also received several awards.

Her subject Sunday morning will be "Rocketship to Freedom." She will explain why the South is afraid of integration, and point to the means will be of a religious nature.

She will be honored at a recetpion at Phyllis Wheatley YWCA, 901 Rhode Island ave. nw., today at 5 p. m.

Another guest speaker Sunday morning will be the Rev. Dr. John R. Wilkins, director of misisonary education of the Methodist Board of Missions. He will speak on "The Imperative Witness of the Christian Faith" at **McKendree Methodist Church,** South Dakota and Rhode Island aves. ne.

The Rev. Leeds Gulick, a Congregational-Christian missionary from Kyoto, Japan, will preach at **Westmoreland Congregational Church,** Westmoreland circle, at 9:30 and 11 a. m.

Washington DC

Another Japan missionary, the Rev. Elmer J. Bergt, will preach at **Christ Lutheran Church,** 16th and Gallatin sts. through which a solution may be found. Her evening talk nw., at 8:30 and 11 a. m. He will also speak at other Missouri Synod-Lutheran churches during the week.

Other guest preachers:

The Rev. Dr. Howard Stone Anderson of the Scarsdale (N. Y.) Congregational Church, **at Rankin Chapel,** Howard University, 11 a. m.

The Rev. Dr. Albert T. Mollegen, professor of New Testament Language and Literature at Virginia Theological Seminary, Alexandria, at **St. Thomas' Episcopal Church,** 18th and Church sts. nw., 11 a. m.

J. Raymond Schmidt, general superintendent of the National Civic League, at **Franklin P. Nash Memorial Methodist Church,** U st. and Lincoln rd. ne., 11 a. m.

Arlington's Seven Negro Students

14 d 11

Va

Arlington, Va. (NNPA) — Under the injunction of Judge Albert V. Bryan of the Federal District Court at Alexandria, Va., in the Arlington County school desegregation case, only seven colored chil- school population of 21,245. dren would be admitted into a white

This means there would be only one colored pupil among 11,421 white children in the elementary grades, and six colored students would be among 9,824 white high school students.

Of the 36 previously "all-white" schools in the county, four will be affected by the decree, and then not to a greater extent than two colored pupils in any one of the four schools.

Arlington County has 40 school buildings. These include four colored schools — one high school, Hoffman-Boston (combined junior and senior), located in the extreme southern end of the county and embracing an elementary school iwth it, and two other elementary schools, Drew-Kemper near the Hoffman-Boston, and Langston in the northern part of the county.

There are two high schools for white children — Washington and Lee to serve the northern half of the county, and Wakefield in the southern half.

There are six junior high schools scattered throughout the county for white children, and 28 elementary "white" schools.

Each school and its contiguous territory forms a school district.

Rita and Harolyn Johnson, 15 and 16, sought admission to Washington and Lee on September 5, the opening day. They live in the northern extremity of the county and about two miles from Washington and Lee. Hoffman-Boston and Wakefield are twice that distance from the Johnson home.

Robert A. Eldridge, 9, wished to enter the fourth grade. As a new arrival in the county, his father applied last August 15 for the enrollment of Robert in Fillmore, a white elementary school. The boy lives slightly more than one city block from Fillmore School.

Leslie Mann had completed the elementary courses at Langston and wanted to enter the Stratford Junior High. His home is within the northern Hoffman-Boston district. But this district is three-and-a-half miles from Hoffman-Boston.

The northern Hoffman-Boston district is not apart because the area is occupied largely by colored people. The white children living in the district are eligible to attend either Swanson or Stratford Junior High. Swanson is little over a mile from the Hamm home, and Stratford is slightly less than a mile.

Louis George Turner and Melvin H. Turner, having finished the 7th and 8th grades in one of the colored schools, sought admission to Swanson Junior High. They live within the northern district of Hoffman-Boston.

A white child living in that district would be eligible to attend either Swanson or Williamsburg Junior High. Swanson is less than a mile distant, while Williamsburg is a mile and a quarter.

George T. Nelson filed a placement form in August with the principal of Stratford Junior High. The Pupil Placement Board assigned him to Hoffman-Boston. On the opening day of school he was refused admission at Stratford.

Nelson lives within the northern Hoffman-Boston district. Hoffman-Boston is six miles from his home. Stratford is a half-mile, and Swanson is a little further away.

Judge Byran ordered the admission of Harolin and Rita Johnson in Washington and Lee, Robert A. Eldridge, III, in Fillmore or Patrick Henry, George T. Nelson in Stratford or Swanson Junior High, E. Leslie Hamm, Jr., in Stratford Junior High and George Louis Turner and Melvin H. Turner in Swanson Junior High.

Virginia White Group Set For Forced Mixing

P. 10 A

'Tit For Tat' Plan Would Close Negro Schools Equally

News & Courier

ARLINGTON, Va. (AP) — Approximately 90 white children are ready for voluntary enrollment this fall in Arlington County's Negro schools as a retaliatory move to forced integration, a pro-segregationist leader said Thursday. The aim would be to close Negro, as well as white schools.

"We have about 30 different parents who have volunteered to enroll their children, about 90 in all, in Negro schools," said Jack Rathbun, executive secretary of the Arlington Defenders of State Sovereignty and Individual Liberties.

Sat. 5-31-58

'A GOOD CROWD'

"We wouldn't have to use anywhere near that number," he added. "All we'd need would be one, and we'd have a good crowd to draw from."

Charleston, S.C.

The children are those of members of the Defenders, he added. They live within the prescribed boundaries for the schools they would enter in what Rathbun termed a "tit for tat" move aimed at forcing the closing of a number of Negro schools equal to the white schools closed.

A federal court has ordered the admission of seven named Negro pupils to specified white schools in Arlington in September. Virginia law provides for automatic closing of a public school racially integrated for any reason.

Rathbun said the Defenders' plan to enroll white students in Negro schools in the same proportion and to the same extent that Negroes are accepted for white schools.

In addition to the seven Negroes ordered admitted to white schools, Arlington school authorities have received applications from seven other Negro children seeking enrollment in white schools.

PLACEMENT FORMS

Rathbun told a reporter Thursday his organization has asked school authorities to require applicants to obtain the placement forms at the school system's administrative offices rather than from the individual schools.

He said a protest has been lodged with the school superintendent.

Also, he said the Defenders have asked the school board for the names and addresses of the Negro applicants together with the names of the schools they seek to enter in 1958-59.

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9 Seek To End Jim Crow In Norfolk Schools

NORFOLK, Va. — (UPI) — Nine Negro children applied for fall admission to five all-white schools this week in a move that could lead to the closing of most of the city's schools.

Defender

The applications followed a ruling by U. S. district Judge Walter E. Hoffman last Saturday that Norfolk must desegregate its public schools by September.

The state's anti-integration laws automatically would close any public school in which integration occurred.

Chicago

Atty. Victor J. Ashe filed seven of the applications. The parents of two sisters filed the others.

Five applications were for Norview High school, and one was for Cranby High school. There were two applications to Norview Junior High school, and one to the northside grammar school.

Sat 5-31-58

14d(1) 1958 VIRGINIA

SOBELOFF REJECTS INTEGRATION STAY

Times

Says Charlottesville Has No Grounds to Bar Negroes From 2 White Schools

P. 20c

BALTIMORE, Sept. 17 (AP) —Chief Judge Simon E. Sobeloff of the Fourth United States Circuit Court of Appeals refused today to postpone integration in two Charlottesville, Va., public schools.

New York
N.Y.
Times
9-18-58

Apparently the two schools will not open Monday as scheduled.

Gov. J. Lindsay Almond Jr. of Virginia has said he would invoke a recently enacted state law forbidding integrated school attendance.

Judge Sobeloff refused to delay the transfer of ten Negroes to the Venable Elementary School and two to Lane High School. Judge John Paul of the United States District Court last week ordered the twelve admitted to the all-white schools.

Heard Arguments Yesterday

Judge Sobeloff heard arguments for three hours yesterday on a proposal by the Charlottesville school board to postpone the integration order until the full, three-judge Fourth Circuit Court of Appeals could review Judge Paul's decision.

Judge Sobeloff took about twenty-five hours to study the presentations before making public his ruling.

"Stay orders are not granted as a matter of course," said Judge Sobeloff, "but only for good cause shown. After carefully weighing the arguments of counsel who appeared before me yesterday, and reading such of the transcripts of proceedings in the District Court as were furnished me. I do not find sufficient ground for interfering with the District Court's action at this stage."

Parents for Opening Schools

CHARLOTTESVILLE, Va., Sept. 17 (UPI) — A group of parents pledged in a telegram to President Eisenhower today to try to keep this city's schools open while "neither encouraging integration nor perpetuating segregation."

The parents, who have formed a Committee for Public Education in an attempt to assure schooling for their children, also praised the President's "heart-warming and encouraging" attitude toward the integration problem.

They apparently referred to the President's appeal last week to the "sense of civic responsibility" of citizens in areas faced with court-ordered integration. President Eisenhower made the statement after the Supreme Court ordered immediate integration at Little Rock.

The Charlottesville schoo board delayed opening of the town's only high school and an elementary school because of a Federal court integration order.

In Charlottesville there appeared to be growing resistance to any move that would keep the schools closed. The parents group reported an "astounding" growth in members as it stepped up its campaign to open the schools—segregated or not.

'Massive Surrender' Seen

City officials, for political reasons, did not want to align themselves openly with anything more than an insistence upon law and order.

But one official of this community, noted for the University of Virginia and its textile mills, said:

"With the parents more and more taking things into their own hands, massive resistance is turning toward massive surrender, or—and I hope not—massive chaos."

Meantime, the City Council in a special resolution today called for "all citizens and organizations" to help provide temporary schooling for pupils shut out of their high school and their grammar school.

This was an effort to allay the fears of Charlottesville clergymen who were resisting suggestions that they open their Sunday school rooms to the "refugee" classes from the closed public schools.

The clergymen did not want their churches pulled into the dispute, and apparently were fearful that use of their facilities for what would amount to public education might run into legal tangles.

Battle Looks to Almond

RICHMOND, Va., Sept. 17 (AP)—John S. Battle Jr., son of a former Governor and Charlottesville school board attorney appeared resigned to seeing Charlottesville's only white high school and the elementary school remain closed.

Other city schools have opened but the start of classes at aLne and Venable had been deferred until next Monday until the courts acted.

Mr. Battle said he expected the next step would be for Governor Almond to take over the two schools—as he did Friday in the case of Warren County High School, which had been ordered to integrate.

Thomas J. Michie, Charlottesville's mayor, said only that he was disappointed at the decision.

Governor Almond and attorney general Albertis Harrison Jr. both said they expected Mr. Sobeloff's decision to be what it was.

"Any comment now would do no good." Mr. Almond said.

14d(1) 1958

VIRGINIA

Top Court Rejects Arlington's Delay

Journal +

By HARLEY MURRAY

WASHINGTON — (INS) — The Supreme Court rejected Monday the final appeal by Arlington County, Va., for a delay in carrying out school integration and set the stage for a showdown next fall.

Under federal court orders, the county must admit seven colored students at the fall term. But under the state's "massive resistance" laws any schools practicing integration may be closed.

Norfolk, Va.

A ONE-LINE announcement by the Supreme Court upheld the federal court orders. The case was more specific than any previous court order of integration because it specifically names the seven students and the schools to which they are to be admitted.

With the threatening crisis in its public school system, there already have been several developments in Arlington, a suburb of the nation's capital.

Sat 5-24-58

THE NORTHERN District of Virginia Parent-Teachers Association is on record opposing the closing of schools through automatic application of the state laws opposing mixing of colored and white students.

Segregationist groups have been working to set up "an effective standby private school organization" in the county.

Several taxpayers have indicated they will immediately file suit if any tax money is used for private schools, or if Virginia denies funds to Arlington county because it obeys the federal court order.

Must Admit 7 Students This Fall Under Order

By HARLEY MURRAY

WASHINGTON — (INS)—The Supreme Court rejected Monday the final appeal by Arlington Co., Virginia, for a delay in carrying out school integration and set the stage for a showdown next fall.

Under Federal Court orders, the county must admit seven Negro students at the fall term. But under the state's "massive resistance" laws, any schools practicing integration may be closed.

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PTA OPPOSING

With the threatening crisis in its public school system, there already have been several developments in Arlington, a suburb of the nation's capital.

[illegible]

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Sat 5-24-58

Segregationist groups have been working to set up "an effective standby private school organization" in the county.

Birmingham Ala

SUITS PLANNED

Several taxpayers have indicated they will immediately file suit if any tax money is used for private schools, or if Virginia denies funds to Arlington County because it obeys the federal court order.

In other decisions today, the Supreme Court:

—Outlawed a "dual rate" system for ocean steamships carring cargo between Japan and the U. S. Gulf and Atlantic ports. By a 6 to 3 vote, it held illegal a maritime board order setting up different rates for members and non-members of the Japan-Atlantic and Gulf Freight Conference.

—Ruled, 5 to 3, that a state may try a person for separate offenses arising out of the same crime without violating the Constitutional guarantees against double jeopardy. The case involved William Hoag, convicted in New Jersey of armed robbery.

—By a 7 to 2 ruling, threw out the murder conviction and death sentence of Frank Andrew Payne a young Arkansas Negro, on grounds that he was denied his legal rights by police and his confession was obtained by coercion.

[illegible]

NO DEATH

—Rejected, 5 to 4, the death sentence appeal of Arthur Thomas, an Arizona Negro who claimed he also was coerced into confessing the murder of a woman storekeeper.

Sat 5-24-58

—Overturned, in a 5 to 4 decision, an Interstate Commerce Commission order granting railroads in Utah the same freight rate increases for shipments within the state as allowed for interstate shipments in April, 1953.

Birmingham

Ike Says He Plans No Virginia 'Gestapo'

WASHINGTON, May 14 (U.P.)—President Eisenhower said today his actions in any future school integration crisis on the Little Rock pattern would depend upon the exact circumstances.

He also said he had no intention of setting up a "Gestapo" to snoop around and see if Virginians planned to obey recent court decisions ordering integration of some of that state's schools.

The President's remarks were prompted by a reporter at his news conference who asked if Eisenhower intended to follow "the Little Rock pattern" in other Southern communities where school integration might prove difficult.

Post Herald

Obviously irritated, the President asked the reporter sharply what she meant by the "Little Rock pattern." The newswoman replied she referred to sending in federal troops to enforce court-ordered school integration.

P.5

The President said he did not send troops into Little Rock, Ark., last September merely because there was opposition to school integration. He said the problem was "mob interference" with the execution of a federal court order and a flat refusal by Gov. Orval E. Faubus to see that the court order was obeyed.

Thurs 5-15-58

Birmingham

The President said what he did in any future case would depend upon the exact circumstances. But he added that he deplored "the need or use of troops anywhere to get American citizens to obey the orders of constituted courts."

Ala!

Federal judges in Virginia this week ordered desegregation in September in schools in Charlottesville, Norfolk and Newport News, despite the state's policy of "massive resistance" to school integration.

The state has a law which would cut off state funds from any school board that permits integration.

The President was asked if federal authorities were taking any steps, such as consulting with state officials or civic leaders, to "prevent another Little Rock" in Virginia.

Eisenhower replied that he could not start a "Gestapo" and send secret police snooping around the state to find out if the people had any evil intentions.

He said all he could do was to repeat that the law as interpreted by the Supreme Court must be upheld whether the people believed in the high court's intepretation or not.

INTEGRATION STAY DENIED VIRGINIA BY SUPREME COURT

Tribunal Refuses to Review Order Admitting 7 Negroes to Arlington Schools

TEST DUE IN SEPTEMBER

4 Communities Now Enjoined on Segregation—Laws of State Bar Mixing Races

By ANTHONY LEWIS

Special to The New York Times.

WASHINGTON, May 19—An order requiring admission of seven Negro children to hitherto all-white schools in near-by Arlington County, Virginia, was left standing today by the Supreme Court.

This was the fourth Virginia school segregation case to come before the high court in the last fourteen months. In each case the court has declined to review lower court orders requiring a start on racial integration. N. Y. Times

The Arlington school board and the state government joined n taking the case to the Supreme Court. The petition for review was signed by Virginia's Attorney General Albertis S. Harrison Jr. P. 1

Today's action means that, at the start of the next school term in September, four Virginia communities will be under final injunctions to admit Negro children to white schools. Aside from Arlington, they are Charlottesville, Norfolk and Newport News.

Almond Could Act Later

Tues. 5-20-58

Under the "massive resistance" program directed by Virginia's political leader, Senator Harry F. Byrd, any school in which any racial mixing occurs must forthwith be closed by the governor. State law gives Gov. J. Lindsay Almond Jr. no alternative.

New York, NY

However, Governor Almond will apparently be free to let the schools reopen after some time if he has not persuaded Negro parents to withdraw their children. It has been predicted that he will do so, but there is nothing in the public attitude of state leaders indicating that schools will be allowed to open on an integrated basis.

Another state statute provides that if any elementary school is integrated, the entire elementary system of the area involved loses its state aid. The same is true for high school systems.

Directs Integration

The four areas facing immediate action against segregation are among the sections of Virginia least opposed to integration. Arlington, just across the Potomac, is essentially a Washington suburb. Charlottesville is the seat of the University of Virginia. The Norfolk-Newport News area is highly industrialized.

The center of resistance to integration is in the so-called southside of the state. Legal maneuvers there involve Prince Edward County.

The United States Court of Appeals for the Fourth Circuit has directed that some date be set for a start toward integration in Prince Edward. The ... haps others, will almost surely do so next fall.

Governor Comments

MIAMI BEACH, Fla., May 19 (AP)—Gov. J. Lindsay Almond said here today:

"I see no change in the situation in Virginia. We have state laws which we believe to be intact and they will be applied in an honest effort to save public education from the chaos which these decisions would impose upon it."

Guard to Quit Central High

LITTLE ROCK, Ark., May 19 (AP)—The 400 federalized national guardsmen will be released immediately after graduation ceremonies at Central High School May 27, Sherman T. Clinger, Adjutant General, said today.

The soldiers will be disbanded when the eight Negro students at integrated Central High have returned to their homes, he said. Federal District Court will hold hearings soon on the matter and set a date of some kind.

N. Y. Times

The Arlington case has a long history. On July 31, 1956, Federal District Judge Albert V. Bryan enjoined the school board from refusing anyone admission to a school because of race. Appeals carried the matter through the next school year.

P. 22-C

In the fall of 1957 seven Negro children presented themselves for admission to white schools in accord with the injunction. They were refused, the school authorities contending that under a new Virginia statute only a state-wide pupil placement Board had the right to admit them.

Tues 5-20-58

New York, N.Y.

Judge Bryan then issued an order telling the Arlington school board to forget the central pupil placement board and admit the seven children. But he stayed the effect of that order while the state appealed.

Bryan Is Upheld

Last Feb. 12 the Court of Appeals affirmed Judge Bryan. It said that he could have held the Arlington school authorities in contempt for keeping the seven children out but that he had chosen "the milder course" of clarifying the situation for them in a new order.

Under Supreme Court rules lower court orders become effective "forthwith" when the court denies review. Even should Virginia petition for rehearing, that would not stay the case unless the Supreme Court or a justice so orders.

Because of the late date in the school year it is unlikely that the seven Negro children will try to enter white schools at this time. But they, and per-

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Negroes Seek to Enter Charlottesville School

CHARLOTTESVILLE, Va., May 22 (AP).—Two Negro children have applied for admission to a white elementary school here next September.

1958

Should they be admitted to Venable Elementary School, that school, under State law, immediately would be closed.

Star P. 1

If the city tried to reopen it on an integrated basis, all State funds would be cut off for all elementary schools in Charlottesville.

Thurs. 5-22-58

Fendall R. Ellis, superintendent of Charlottesville schools, said the two applications will come before the school board through normal channels. The board's next meeting is June 12.

Washington, D.C.

Both of the children—who were not identified by school authorities—will be entering the first grade this fall. Mr. Ellis confirmed that one Negro child had applied for admission during the morning and Venable Principal D. Mott Robertson said the second child applied yesterday afternoon.

The applications are the first from Negro children seeking to enter white schools here since Federal District Judge John Paul on May 12 set September as the effective date for a desegregation decree.

He originally had ordered desegregation effective in September, 1956, but stayed the order pending appeals and tests of Virginia's massive resistance legislation.

Although several other Virginia localities are under Federal court orders to desegregate public schools, Arlington County is the only other place where Negro students have applied to enter specific white schools. There, the schools are under orders to admit seven Negro children to white schools next fall.

Venable School serves the northwest section of the city where many of the city's higher-income families live. Many persons connected with the University of Virginia also live in the area.

Venable's grounds are bordered on the east by a Negro residential section which is served by Jefferson School, the only Negro elementary school.

The two applications were made yesterday at the advance registration for the fall term, which is scheduled to begin September 2.

Judge Paul to Retire; Ordered Integration

JUDGE JOHN PAUL
Announces Retirement

HARRISONBURG, Va., May 22 (AP).—The Federal District judge who issued the first desegregation order for Virginia's public schools will retire late this summer after more than 26 years of service.

John Paul, 74-year-old Republican named to the Federal bench late in 1931 by President Hoover, said yesterday he had written President Eisenhower of his desire to retire August 1.

The jurist will continue to serve with recently appointed Judge Roby C. Thompson of the Western District of Virginia until his successor is nominated by the President and confirmed by the Senate. He also still will be available, even in retirement, if his services are required.

1958

Judge Paul ruled in 1956 that Negro school patrons in Charlottesville were entitled to enter their children in white schools—the first such order by a Federal judge in Virginia.

After a series of appeals was turned down by the United States 4th Circuit Court of Appeals and the United States Supreme Court, Judge Paul earlier this month directed that Charlottesville schools be desegregated starting with the fall term in September.

A similar decree has been issued by Judge Albert V. Bryan regarding Arlington schools, and still another desegregation order for September is expected from Judge Walter E. Hoffman for Norfolk and Newport News schools.

Among those mentioned in early speculation about Judge Paul's successor are State Senator Ted Dalton of Radford, a two-time Republican gubernatorial candidate; John Strickler of Roanoke, United States attorney for the Western District, and J. Livingstone Dillow of Pearisburg, unsuccessful G.O.P. candidate for attorney general last year.

Other possible appointees include Representative Poff, Republican of Virginia; Bentley Hite of Christiansburg, former member of the House of Delegates; Joe Gillespie of Tazewell; B. A. Davis of Rocky Mount; George Revercomb of Covington, a brother of Senator Revercomb, Republican of West Virginia, and William Logan of Woodstock, husband of a former G. O. P. national committeewoman from Virginia.

Born in Harrisonburg December 9, 1883, Judge Paul was educated in public and private schools, graduated from Virginia Military Institute in 1903 and received his law degree from the University of Virginia in 1906.

He played football at both schools and later became an enthusiastic baseball fan. He also played semiprofessional baseball as an infielder, was an umpire for several years and was president of the Harrisonburg club in the Virginia League for two years.

Judge Paul was a special assistant to the United States Attorney General and handled war contract suits in which the Government won several million dollars in 1924-5.

Jurist Skips Integration Date Order

Constitution

Calls Virginians To Express Views

P. 2

Atlanta

BY ANTHONY LEWIS

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Ga

RICHMOND, Va. — Federal District Judge Sterling Hutcheson refused Friday to proceed at once on setting a date for integration of the public schools in Prince Edward County, Virginia.

Sat 6-7-58

Instead, Judge Hutcheson called for a further evidentiary hearing on July 14 and 15. He asked attorney for the county school board and Negro children to present at that time the facts on "conditions existing in this community."

1958

Prince Edward County is in southern Virginia, the part of the state most bitterly opposed to racial integration. County leaders have sworn to abandon all public schools rather than integrate and the general belief is that they will do so.

Because of this community resistance, Judge Hutcheson once before refused to set any date for the beginning of integration. But the U.S. court of appeals for the fourth circuit reversed him, ruling that he must fix some "time limit for compliance" with desegregation decrees.

The case was back before Judge Hutcheson Friday after the Supreme Court refused to review the court of appeals' decision. It had been expected that lawyers would directly argue the question of a date for desegregation and that Judge Hutcheson might rule.

Attorneys of the National Association for the Advancement of Colored People asked the judge to enter an order directing the school board to take action toward desegregation at the next school term, beginning in September. It was not clear whether such an order would require admission of Negro children then or merely adoption of a plan by the school board.

Oliver W. Hill of the NAACP staff in Virginia argued that the Prince Edward case had been in the courts since 1951.

14d(1) 1958

VIRGINIA

Virginia Integration Move Vetoed By Placement Board

RICHMOND, Va. (AP) — The Virginia Pupil Placement Board Monday denied all Negro applications for transfer to white schools in Arlington and Newport News.

The action had been expected in view of the state's policy and laws against racial integration in the public schools. There was no comment from board members as they issued their statement.

Advertiser
P 2A

Exact figures on the number of Negro pupils whose applications were denied by the board were not immediately available.

The board's denials apparently covered all 27 Negroes who showed up for interviews last week in Arlington, including five of the seven Negro pupils ordered admitted to four white Arlington schools by Federal Judge Albert V. Bryan last year.

Montgomery Ala

Arlington school board members apparently will have official notice of the board's action when they assemble Tuesday night to complete and announce plans for the school session beginning Sep

Tues, 8-26-58

In the case of the five Negro children named in Judge Bryan's order, the Arlington board will find itself caught between conflicting authorities — the state board on one side and Bryan's order on the other.

Arlington school officials have expressed doubts as to whether Bryan's 1957 order applied to the term opening next month. Arlington officials have indicated they will bring this question before Bryan when he returns from a European vacation early next week.

Bryan last year said Arlington Negroes did not have to comply with the state placement law, which vests all placement powers in the state board.

But since then the General Assembly has revised, amended and reenacted the placement law. Arlington school officials took the position this summer that the changed law is valid and that unless they had no power to make

Though no official figures were available, apparently eight Negro applicants to white schools were involved in the Newport News transfers denied by the board.

The status of a federal court order directing Newsport News to assignments.

desegregate this year is subject to further litigation because of the recent Newport News - Warwick merger.

State law orders the closing of any school where racial mixing occurs.

Judge considers Virginia plea

BALTIMORE, Sept. 16—(AP)—The chief judge of the Fourth U. S. Circuit Court of Appeals today took under advisement a plea for a delay in integrating two Charlottesville, Va., schools.

News
P 1

Indications were that Judge Simon E. Sobeloff probably would decide by tmorrow. The two Charlottesville schools are scheduled to open next Monday. The other city schools are already open.

Tues
9-16-58

If Judge Sobeloff refuses the request for a reprieve on integrating the all-white schools, it is almost a certainty they will not open Monday. A Virginia law forbids integrated school attendance.

Birmingham
Ala

Charlottesville officials had asked Judge Sobeloff to postpone the order of U. S. District Judge John Paul to admit 10 Negro students to Venable Elementary School and two Negroes to Lane High School.

Almond Okays Communities' Pupil Plans

But He'll Enforce Laws on Closing Integrated Schools

RICHMOND, Aug. 14 (AP).—Gov. Almond sees nothing wrong with Charlottesville and Norfolk school boards—apparently in violation of State law—proceeding with their local pupil assignment plans.

Star

He was asked at his press conference if it were not inconsistent for the State to go along with these communities when State law places all pupil assignment powers in the hands of the State Pupil Placement Board.

P 1 B
Washington
DC

The Governor noted these communities are "under the direct pressure of Federal power and Federal Judges. He said they are seeking to avoid contempt processes from the Federal courts and are proceeding under the advice of their own lawyers.

The State, he said, should not take the position it is going to interfere. He noted the State was not a party to a suit in Norfolk Wednesday to enjoin the Norfolk School Board from making any assignments.

Fri.
8-15-58

Will Enforce Law

But "in the final analysis,' the Governor said, the State law calling for the closing of any integrated school "is going to be applied and enforced."

Mr. Almond was emphatic in rejectin gthe services of armed private persons to keep order if disturbances should result from the school segregation situation in September. Jack Rathbone, Arlington segregationist leader, Wednesday offered the services of a "600-man rifle and pistol club" to the Arlington County Board to help maintain order.

The Governor, asked if he was in favor of such private forces, said forcefully:

"I am not, and will not be, unless . . ." and then he qualified his answer to the effect that if local deputy police officers were needed, he would favor them "but only under the aegis of State law, which is very strict on that subject."

No Private Groups

He said he trusted there would be no private groups forming, and if that did occur, "I would just have to take a hand in it. We don't need that; we don't want that."

He expressed "grave alarm" at the prospect of federal judges making pupil assignments themselves after schools open. He said he was hopeful that any if any integration occurs, it will be on paper and schools will not open.

However, if a Federal judge sets himself up as superintendent of schools and as the school board, and after schools open and are operating in a peaceful manner on a segregated basis, forces integration of that school, it puts us back where we started," the Governor said, adding:

"I am not going to hesitate to invoke the police powers of this State to see that peace is maintained."

He said if there is a condition that threatens the public peace, "I am going to remove that condition. If that brings me into conflict with the Federal Government, we will have to fight it out. . . ."

No Investigators Named

In answer to a question, Gov. Almond said he had not appointed any special investigators as the Legislature authorized him to do. He said he saw no need at this time because they might be regarded as "snoopers" and he added he didn't "see any reason for the Federal Government putting its long snout into it and sending in the FBI." He said he was keeping abreast of developments through the press and through the State police.

Should a Federal judge order a Negro child into a white school after the school semester has begun, the judge "him-

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100 Colored Pupils Ask School Changes

Journal and Guide

STAFF CORRESPONDENCE

RICHMOND, Va. — Over 150 colored students have made application for admission to public schools now serving all - white student bodies in Virginia as it becomes more and move obvious

Norfolk Va.

Related Story, Pictures, First Page Section Two

that state officials and segregationist groups are the main obstacles on the path to compliance with the law of the land in school integration matters.

At Norfolk 90 pupils have made applications to white schools; at Arlington some 22 have applied and at Charlottesville, 30. Indications are that colored applications have been received by school boards in other cities, town and county units but no announcement of these applications has been made.

P 1

Sat.
6-21-58

AND WHILE state officials continue ot breath threats to close any school in which integration takes place and segregationist groups try to determine ways and means of setting up "private" schools to replace public ones affected by integration, Virginians who would abide by the law are openly expressing their resentment of the state's massive resistance stand.

Journal and Guide

A group of ministers representing 10 Protestant demoninations at Arlington issued a resolution opposing use of church buildings for "private" school purposes. The Arling-

6-58

14d(1) 1958

VIRGINIA

Norfolk Schools To Enroll 17 Negro Students

Chicago Def.

Sat. 9-6-58

By LON K. SAVAGE

NORFOLK, VA. — (UPI) — The Norfolk school board agreed Friday to enroll 17 Negro students in six previously white schools, despite a Virginia law that would automatically close any racially-integrated school.

In a dramatic, six-page report to U. S. District Judge Walter E. Hoffman, the board said the Negroes were acceptable for admission for the current term beginning Sept. 8.

Hoffman was then asked to defer the enrollments until the 1959 term, but he indicated he would deny the request to delay integration of the schools.

School board attorney W. R. C. Cocke, in the motion to defer integration until 1959, said the people of Norfolk, school officials, parents and students were "wholly unprepared" to cope with integration this fall.

It marked the first time in Virginia history that a school board had approved integration of public schools. At the same time, it created the first direct conflict with state laws to automatically close public schools which permit integration.

Gov. J. Lindsay Almond was vacationing at an undisclosed spot when the board's decision was told by school board chairman Paul G. Schweitzer. Almond has said repeatedly, however, he will enforce state laws calling for continued school segregation.

Schweitzer said the board's decision was "in compliance" with Hoffman's earlier orders to desegregate the classrooms of this seaport city of 290,000.

Hoffman said he would permit a "reconsideration" of the decision if the U. S. Supreme court grants a 2½ year delay in integration at Central High school at Little Rock, Ark., as was requested.

But Hoffman, who gave the school board orders Monday to reconsider its rejection of 151 Negro applicants for white schools here, doubted if the high court would grant the Little Rock delay.

He pointed out that if the Supreme Court granted a delay in Little Rock, it would permit groups or individuals to circumvent integration by creating violence.

Hoffman has the power to issue a federal injunction to block the state's school closing law. However, this law is backed up by another statute withholding state financial support from integrated schools.

Patricia Godbolt, 16, was among the Negroes admitted, School Supt. J. J. Brewbaker had testified earlier that Miss Godbolt was qualified to attend a white school and would have been assigned to one if she "had been white."

In Arlington, Va., the county school board formally requested police protection during the opening of Arlington schools Sept. 4. Thirty Negroes have asked for admittance to white schols in the Washington suburb.

And at Charlottesville, Va., the city school board Thursday night delayed the opening of schools from Sept. 2. until Sept. 15, pending the settlement of legal conflicts surrounding the city's pupil assignment plan and a federal court order to integrate.

Board OKs Integration At Norfolk

Montgomery Advertiser

Montgomery, Ala.

Sat. 8-30-58

P. 1

Administrators Ask Court To Postpone Action Until 1959

NORFOLK, Va. (AP)—The Norfolk School Board yielded to a federal court desegregation order Friday and announced it will assign 17 Negro children to white schools but appealed to U.S. Dist. Judge Walter E. Hoffman to put off the day of integration from Sept. 8, when schools are due to open, until September 1959.

Enrollment of Negro children in white schools, even on paper, would automatically close these schools under one Virginia law. Still another law would cut off state funds to the affected schools.

The board said admission of the 17 Negroes this year would "unduly interfere with the proper administration of the schools affected." An extra year, it argued in a motion, is needed to prepare residents of this port city and school officials for "profound changes."

FIRST IN VIRGINIA

This is the first time a school board in Virginia has said it would assign Negroes to white schools. A federal judge has directed the admission of specific Negroes to white Arlington County schools, and that locality also faces the prospect of closed schools next month.

Gov. J. Lindsay Almond Jr. was vacationing and unavailable for comment.

Judge Hoffman implied that he would reject the request for a delay unless the U.S. Supreme Court permits a 2½-year delay in integration at Little Rock, Ark. Such a ruling, Judge Hoffman said, "undoubtedly would put a different complexion on this case." And he remarked: "We apparently are living on a day-to-day basis in this matter."

Judge Hoffman said if the Supreme Court permits the delay at Little Rock, he would receive a motion to transfer the 17 Negro pupils back to Negro schools.

The Supreme Court hears further arguments in the Little Rock case Sept. 11.

J. J. Brewbaker, Norfolk school superintendent, said it was possible the board might postpone the opening of schools a short time if it decides "such action would be advantageous."

The Norfolk School Board is under an injunction issued by two State Supreme Court justices which forbids it to assign any pupils to any of its schools, white or Negro. Under state law, all assignment power is vested in a three-member State Pupil Placement Board.

A state spokesman said, however, that since the Norfolk board told Judge Hoffman only that it "will" assign the Negro pupils, and has not yet formally assigned them, no action is possible at this time against the board for violation of the injunction.

Contemplating such action when it does make the assignments, the board told Judge Hoffman Friday it would petition him for protection. As a federal judge he can enjoin state courts from taking action against the board as an outgrowth of the injunction.

In Richmond, the State Pupil Placement Board said in a statement it has been given no information on Negro pupils who applied for admission to Norfolk's white schools. The board said it forwarded the Norfolk School Board 19,200 application forms on June 30 and "not a single application has been returned."

[illegible] P. 7A

Norfolk School Board Rejects Negro Students

News-Courier

Charleston, S.C.

Sept. 8-1958

P. 3A

151 Applications For White Schools Are Turned Down

NORFOLK, Va. (AP)—The Norfolk School Board denied the application Monday night of 151 Negro pupils seeking admission to the city's white public schools.

In announcing its action, the board said that although it "is aware that the petitioners are all of one race asking to be assigned to schools of the opposite race, it has attempted to approach the problem from the standpoint of sound education."

JUDGE'S REQUEST

The school board announcement was made several hours after Federal District Judge Walter E. Hoffman had directed the board to advise him by Wednesday of its action on the applications of 87 Negro pupils seeking admission to white schools.

These 87 had taken tests and been interviewed under the school board's local pupil assignment plan. The remainder of the 151 had either boycotted the tests and interviews or had failed to complete them.

The board's announcement came shortly after two justices of the State Supreme Court of Appeals had granted an injunction until Oct. 15 restraining the board from executing its assignment plan. The injunction was granted on petition of Mr. and Mrs. Coleman H. Coley, white parents of Norfolk, who contended the board's plan violated state law which vests sole authority for assignments in the State Pupil Placement Board.

'NOT IN VIOLATION'

The school board's action in denying the 151 applications was taken prior to receiving official notification of the Supreme Court injunction. A school board attorney said, however, "We're not assigning anybody, so we don't feel we're violating any injunction."

Of the 151 Negro students whose applications were denied by the board, the board said 60 were "clearly unsuitable for the assignment requested." It said the vast majority "failed to meet the minimum requirements."

New Integration Suit Is Filed In Norfolk, Va.

Jackson Advocate

Jackson, Mississippi

Sat. 8-16-58

P. 1

NORFOLK, Va., Aug. 7.—A suit **to block the Norfolk School Board from performing any act of enrollment, of Negro pupils in the city's schools was filed here today.**

"First of all it is to test the **legality of the action of the School Board in making tests and attempting to make assignments in clear disregard of the State's Pupil Placement Act,"** said Lewis S. Pendelton Jr., attorney for the **plaintiffs.**

The petition would ask the Norfolk Circuit Court to enjoin the School Board from making any assignments of pupils on grounds that state law has placed all authority for such assignment in the State Pupil Placement Board.

Some 150 Negro pupils **have applied for transfer to white schools** in Norfolk. More than **half of** these have taken tests **set up by** the School Board **looking to the** enrollment of the pupils.

Advocate

P. 5

Norfolk Rejects Applications Of 151 Race Pupils

Atlanta World
Atlanta, Ga.
Tues 8-19-58

NORFOLK, Va. (UPI) — The Norfolk School Board, under a Federal Court order to desegregate with the opening of schools Sept. 8, Monday night rejected the applications of all 151 Negro students seeking admission to white schools.

P. 1

The board announced its decision about five hours after U. S. District Judge Walter E. Hoffman said the board members would be under contempt of court if they "flagrantly violated" his desegragation order.

The board said 61 students refused to take tests under the city's pupil placement law; 60 were "clearly unsuitable for the assignment requested," and "the vast majority failed to meet the minimum scholastic requirements."

The board said assignment of Negroes to white schools would renew "racial conflicts."

Earlier in the day at Richmond the Virginia Supreme Court of Appeals issued an injunction restraining the Norfolk Schools Board from assigning any students to public schools.

14d(1) 1958 VIRGINIA ALEXANDRIA

Race Not Reason For Rejecting 30 Negroes, Arlington Now Says

By TOM NELSON
(United Press International)

ALEXANDRIA, Va. (UPI)—The Arlington County school board told a Federal District judge Tuesday it had rejected on grounds other than race the applications of 30 Negro pupils to attend seven white schools.

World P.1

The testimony came as Judge Albert V. Bryan reviewed the qualifications of each of the Negro children in a case which posed a direct test of Virginia's "massive resistance" to integration.

Atlanta

Virginia's state pupil placement board had previously turned own the applications. The county board had taken the position that under state law, the state agency had jurisdiction.

But the county board apparently acted in belief that Bryan might order it to consider the applications.

Wd. 9-3-58

Bernard Joy, a school board member, testified that "for one reason or another in each of the cases the vote was to reject the transfer" of a Negro pupil to a white school.

REJECTS PLEAS OF NAACP

Bryan rejected pleas by attorneys for the National Association for the Advancement of Colored People for an immediate ruling on the Negroes' request for the right to attend the all-white schools in Arlington County, just across the Potomac River from Washington.

Instead, the judge decided to go over the qualifications of each of the Negroes. However, a ruling was expected before the opening of Arlington schools on Thursday.

Joy testified that 11 applications were denied on grounds that the Negroes lived outside attendance areas for white schools. He presented maps to back up this point.

He said Washington - Lee High School, which five Negroes sought to attend, was seriously overcrowded and that 250 tenth graders would be shifted to another school this fall. For that reason, he said, the board felt it should not permit any transfers to Washington-Lee.

Joy said the applications of nine Negroes were rejected because the board believed they "would have serious academic difficulties" in white schools.

SCHOLASTIC LEVEL LOW

He said the scholastic level of the seventh grade at one Negro school from which students sought to transfer was one year and nine months behind that of the seventh grade in the all-white school involved.

Joy said other applications were rejected because of individual "psychological problems" or problems relating to "adaptability to new situations."

Joy's testimony came after Bryan asked lawyers for the school board and the NAACP whether they felt the appeal of the Little Rock, Ark., school case now before the Supreme Court "has any bearing on this case."

The high court has scheduled full hearings September 11 on NAACP requests that a delay in integration at Little Rock's Central High School be swept aside.

Bryan's question was interpreted as a possible hint of delay in Arlington integration.

World

Court recessed while lawyers discussed the question in Bryan's chambers. When court resumed school board attorney James H Simmonds said he would like to take up the point later in the proceedings.

Wed 9-3-58

Virginia Attorney General Albertis S. Harrison, Jr., sat at the table with school board attorneys but took no part in presentation of arguments.

STUDENTS IN COURTROOM

Several of the Negro students involved sat in the crowded courtroom. None was identified by name in the school board's presentation.

Frank D. Reeves, NAACP attorney representing the Negro students, argued against Bryan's decision to review the qualifications of the students.

Reeves said the Arlington school board had ample opportunity in previous proceedings to raise questions as to the pupils' qualifications but had never done so.

Joy said during a court recess that the county board reviewed and rejected the applications at a meeting last Thursday night. The action had not previously been announced.

Reeves said in answer to questions by Bryan that each of the Negro applicants was interviewed by the pupil placement board but that its questions had nothing to do with scholastic qualifications.

SCOTT ADVISED BOARD

A. B. Scott, counsel for the state pupil placement board, told the court he had advised the board that it could not assign pupils to schools solely on the basis of race or color, but must "assign and enroll pupils in accordance with the law."

He attacked what he called the 'gratuitous and uncalled-for assumption on the part of perhaps everybody, the public included, that my board is going to deliberately flout the law."

Simmonds, the school board attorney, told Bryan the board was caught between its subjection to state authority and the edicts of federal courts.

"We pray the guidance of the court on how we should conduct ourselves in this matter," he said.

Virginia law makes mandatory the closing of any white school where Negroes are enrolled. It provides for a cutoff of state school funds to any county which attempts to operate integrated schools.

Washington Suburb Acts Unanimously

News & Courier

ALEXANDRIA, Va. (AP) — The Arlington County School Board, deep in litigation over efforts by Negroes to enroll in white schools, Tuesday postponed the opening of the fall term from Thursday to Monday.

The decision was taken unanimously in an emergency meeting at the end of a day of arguments before U. S. Dist. Judge Albert V. Bryan. Judge Bryan heard arguments for and against the admission of 30 Negroes into white schools. He indicated he would try to dispose of the case Wednesday.

p. 1

A spokesman for the school board said the postponement of the opening had been approved by Virginia's attorney general, Albertis S. Harrison, as being in the best interest of Arlington schools and of the state generally.

Wed 9-3-58

The state administration has pursued a course of massive resistance to the U. S. Supreme Court orders against segregation of pupils. The Arlington case is one of several in Virginia which are at or near the crucial point. Virginia law requires the closing of any school that is integrated.

Charleston S. C.

Earlier, opposing lawyers disagreed sharply over whether race is the key factor in the assignment of pupils by the Virginia Pupil Placement Board.

A. B. Scott, attorney for the board, argued before U.S. Dist. Judge Albert V. Bryan that pupils are not assigned to particular schools solely on the basis of race or color. He contended there is only an assumption—not evidence—that race is the governing factor.

Frank D. Reeves, an attorney representing 30 Negroes seeking admission to white schools in Arlington County, disputed Scott.

Reeves said that when the 30 Negroes were interviewed by a representative of the state board, every question put to them had a racial tone.

Reeves said none of them was asked any question relating to achievement. Instead, he said, they were asked whether they were seeking admission to a white school on the basis of "your so-called constitutional rights."

The arguments were presented to Judge Bryan in a hearing on the demand of the 30 Negro pupils that they be enrolled in white schools in this county, just across the Potomac River from Washington, D.C. Bryan ordered five of them admitted last year but enforcement was delayed by an appeal.

The case promises to evolve into a full-scale test of the validity of Virginia's pupil placement law, which gives the state board the power of assignment to schools.

News & Courier

The County Board of Education told Judge Bryan today it is ready to take action of its own on the Negro applicants if the court so orders. The board asked the judge's advice. Without court action, the board said, it will abide by the state board rulings.

Wed 9-3-58

Reeves said the Negro applicants were told they would be happier if they remained in the schools they had attended in the past.

Scott argued that the proceedings, under which the 30 Negroes are seeking admission to white schools in the term opening Monday, should be dismissed.

He based this argument on the

ground that the placement law should be allowed to operate until its constitutionality has been determined.

In connection with his contention that race plays the key role in the assignment of pupils, Reeves said that nowhere in Virginia has a Negro been assigned to a white school.

While the hearing here was in progress, schools opened in Warren County and the county seat of Front Royal. None of the 27 Negro pupils who have applied for entry into white classrooms appeared. Two of the parents of those pupils withdrew from a suit filed on their behalf.

Negroes Seek School Ruling In Alexandria

Post & Times Herald

P. 1 B

Tell Judge Bryan City Concedes Truth of Segregation Argument

Federal District Judge Albert V. Bryan has been asked to order the admission of 14 Negroes to five white Alexandria schools without hearing the city's school desegregation case on its merits.

Wed 10-29-58

Washington D.C.

Frank D. Reeves, attorney for the Negro pupils, said the trial was unnecessary because Alexandria school officials have conceded that they maintain a segregated school policy.

Reeves made the contention in a motion for summary judgment in Judge Bryan's court.

The desegregation case had been scheduled for trial on its merits on Thursday. But the judge said yesterday that he would first hear arguments on Reeves' motion "at the earliest practicable date" after Nov. 7. He will be out of town next week.

Reeves said the School Board had failed to answer by last Friday some 17 stipulations filed by the Negroes. This amounts to a School Board admission that there is "no genuine issue as to any material fact," Reeves contended.

Since school officials have given no reason for delaying admission of the Negroes, Reeves said, there is no necessity for trying the case.

Denial Sought

Commonwealth's Attorney Earl F. Wagner, School Board attorney, said he would ask the court to deny Reeves' motion.

Two stipulations which school officials did not refute were:

"The defendants (the School Board and Supt. T. C. Williams) . . . have adopted and followed the policy, custom and usage of separate schools for Negroes and white races.

"The defendants have not adopted, undertaken or pursued any course of action designed or intended to bring about the end of racial segregation in the public schools of Alexandria."

In an answer to 19 questions asked by Reeves, Williams admitted that white children living at the Negroes' addresses would attend white schools.

"This admission plus failure to deny the stipulations means school officials have given no reason why our clients should not be admitted to the white schools to which they applied," Reeves said.

5 Schools Involved

Schools involved in the suit are George Washington and Hammond High Schools and Patrick Henry, William Ramsey and Ficklin Elementary Schools. Under present State anti-integration laws, these schools would be closed if desegregated.

The 14 students applied for admission to white schools on Aug. 11.

In another school development, Virginia's Attorney General Albertis S. Harrison Jr. was served with papers in a suit brought by white parents in an effort to reopen Norfolk's six closed secondary schools.

Similar papers will be served later on Gov. J. Lindsay Almond, also named a defendant in two suits brought by 15 parents in behalf of their 11 children.

Harrison was named in one of the suits in which the parents asked for a three-judge Federal court to rule on the constitutionality of Virginia's school closing law.

Parents' Suits

This suit alleges the school closures deprive the children excluded of equal protection of the law. Named defendants with the Attorney General and the Governor were members of the Norfolk City School Board and School Supt. J. J. Brewbaker.

The other suit seeks the reopening of Norfolk's six closed schools as well as two schools at Charlottesville and one at Front Royal. The Governor closed the nine schools under state laws adopted in the state's massive resistance program against racial desegregation of the schools.

Meanwhile, the Warren County Educational Foundation announced private classes will begin this week for the 8th, 9th and 10th grades of the closed Warren County High School. Classes already are under way for the seniors and juniors.

14d(1) 1958 VIRGINIA BERRYVILLE

ans Warren court, NAACP—

Sen. Byrd urges battle on integration without violence

BERRYVILLE, Va., Aug. 30—(AP)—Sen. Byrd (D., Va.) promised here Saturday that Virginia will not give up its "just and proper" battle against race-mixing in its public schools, but warned that any violence in next month's integration crisis "will weaken our righteous cause.

"We shall fight for our position with dignity, but with every lawful means at our command," the veteran Democratic senator told a throng of several thousand persons at his annual apple orchard picnic. "I hope we shall avoid occasion for violence or rioting."

BYRD CHARGED that if any Virginia school is closed by court-ordered integration, the responsibility will lie directly at the door of the U. S. Supreme Court and the National Assn. for the Advancement of Colored People.

"It is the state that is trying to preserve its school system," Byrd said. "It is the Warren court (Chief Justice Warren) decision, pressed by the NAACP, that would destroy it."

More than the integration of schools was involved in the Supreme Court's "terrible decision" of 1954 declaring public school segregation unconstitutional, the senator added, for in handing it down the high court "usurped the authority of Congress to legislate."

"The federal courts have never had authority to legislate," Byrd said. "The only law in this field (segregation) ever enacted by Congress . . . provided for segregation in District of Columbia schools. And this the Warren court decision repealed.

WE IN VIRGINIA face days of stress and strain, and the eyes of the world will be upon us," Byrd added. "For just and proper reasons the governor and the General Assembly of Virginia, carrying out the expressed will of our people after due deliberation, are refusing to obey an illegal decision of the Warren court . . .

"We know our course is right. We know the Warren court is wrong. Its terrible decision could be reversed. It should be reversed. I hope it will be reversed. . . .

"Meanwhile we shall do our best to solve the problems the court has thrust upon us. This may take a long time, but let our resistance be fortified by the belief that we are fighting to preserve the fundamental principles of our constitutional democracy."

News p 1
Sun 8-31-58
Birmingham, Ala.
News
Sun 8-31-58

Byrd Pledges Fight Against Race Mixing

BERRYVILLE, Va., Aug. 30 (AP) Sen. Byrd (D-Va) promised here today that Virginia will not give up its "just and proper" battle against race mixing in its public schools but warned that any violence in next month's integration crisis "will weaken our righteous cause."

"We shall fight for our position with dignity, but with every lawful means at our command," the veteran Democratic senator told a throng of several thousand persons at his annual apple orchard picnic. "I hope we shall avoid any occasion for violence or rioting."

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Decision Called Terrible

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Days of Stress Loom

"We in Virginia face days of stress and strain, and the eyes of the world will be upon us," Byrd added. "For just and proper reasons the governor and the General Assembly of Virginia, carrying out the expressed will of our people after due deliberation, are refusing to obey an illegal decision of the Warren court. . .

"We know our course is right. We know the Warren court is wrong. Its terrible decision could be reversed. It should be reversed. I hope it will be reversed. . .

"Meanwhile, we shall do our best to solve the problems the Warren court has thrust upon us. This may take a long time, but let our resistance be fortified by the belief that we are fighting to preserve the fundamental principles of our constitutional democracy."

Times Union
Sun 8-31-58
Jacksonville, Fla.
p 1
Times Union
Sun 8-31-58

Sen. Byrd Vows Virginia Will Continue Battle Against 'Warren Court.' Mixing

BERRYVILLE, Va. (AP)—Sen Harry F. Byrd (D-V), in a major speech delivered on his apple orchard lashed out in one of his bitterest attacks on the U.S. Supreme Court Saturday, said he was "firmly and four-square" behind the state's stand of "refusing to obey an illegal decision of the Warren court."

Byrd, patriarch of Virginia's dominant Democratic Party, said the Supreme Court's desegregation decision "has brought Virginia to its greatest crisis since the war between the states."

SEN. BYRD

Byrd addressed more than 3,500 guests seated on brand new apple boxes at his 34th annual box lunch picnic in his sprawling apple orchard here. He was interrupted more than 10 times and was given a standing ovation at the end.

State House of Delegates Speaker E. Blackburn Moore presented Byrd with a framed legislative resolution praising Byrd and signed by every member of the Legislature—Democrats and Republicans alike. "No citizen of Virginia has ever been so honored," Moore said.

Gov. J. Lindsay Almond, who was unable to attend, sent greetings and described Byrd as "the greatest American living in this generation." Almond's message read to the crowd, said Byrd's actions in Congress had placed him "at the pinnacle of American statesmanship."

Byrd also blasted at NAACP "agitators" who, he said, "are working on the theory that if Virginia can be brought to her knees, the rest of their march through the South will be less difficult."

"For just and proper reasons," he said, "the governor and the General Assembly of Virginia, carrying out the expressed will of our people after due deliberation, are refusing to obey an illegal decision of the Warren court."

"We shall fight for our position with dignity, but with every lawful means at our command," he added. "I hope we shall avoid occasion for violence or rioting."

Byrd declared he stands "firmly and four-square with the governor" of Virginia's unyielding position regarding integration.

He quoted Governor Almond's recent statement "calling on the people of Virginia to stand with the governor of Virginia and the General Assembly to preserve Virginia's right to function as a sovereign state."

Byrd said President Eisenhower's statement last Wednesday on integration was "the most significant statement in the whole confused situation." He quoted the President as saying "the process should move slowly because 'we have to have reason, and sense and education and a lot of other developments that go hand in hand, if this process is going to have any real acceptance in the United States.'"

Byrd, the nation's leading apple grower, also cited reprimands against the Supreme Court and "growing alarm" over its decision by "the chief justices of the 48 states," the American Bar Assn. and the governors and attorneys general of some states.

Advocate p 4 A
Sun 8-31-58
Morning Adv

FIGHT INTEGRATION TO END, BYRD VOWS

Senator Lashes at 'Warren Court' As Virginia Nears School Showdown

Sun. 8-31-58

P 2A

Constitution

Atlanta Ga

BERRYVILLE, Va., Aug. 30 (AP)—Sen. Harry F. Byrd (D-Va) sounded a no-surrender battle cry Saturday in Virginia's fight against school integration.

At the same time, he said he hoped there wouldn't be any violence or riots as the state approaches the showdown stage in the school fight.

"Let our resistance be fortified by the belief that we are fighting to preserve the fundamental principles of our constitutional democracy," Byrd said.

* * *

BYRD, LASHING out time after time against "the Warren court," said in a speech prepared for his annual apple orchard picnic that "we in Virginia face days of stress and strain, and the eyes of the world will be upon us."

"For just and proper reasons," he added, "the governor and the General Assembly of Virginia, carrying out the expressed will of our people after due deliberation, are refusing to obey an illegal decision of the Warren court."

Virginia officials have adopted Byrd's policy of massive resistance to the Supreme Court's 1954 decision declaring racially segregated public schools to be unconstitutional.

* * *

IN HIS SPEECH defending this policy, Byrd observed that a whole new set of laws have been enacted by the State Legislature to resist the court's ruling, including authority to close any school which has mixed classes.

Virginia faces a showdown this fall with white schools in Norfolk, Charlottesville and Arlington County under court orders to admit Negro students next month.

"It is this Warren court school decision that has forced this ordeal upon us," Byrd said. "We have done nothing to warrant this invasion of our rights except strive, in good faith, to follow three previous decisions by the Supreme Court of the United States."

* * *

HE WAS REFERRING to earlier decisions permitting separate but equal school facilities for the white and Negro races.

"We shall fight for our position with dignity, but with every lawful means at our command," Byrd said. "I hope we shall avoid occasion for violence or rioting."

The senator continued:

"Any violence will weaken our righteous cause. We know our course is right. We know the Warren court is wrong. Its terrible decision could be reversed. It should be reversed. I hope it will be reversed. We take renewed hope from recent events, which have been occurring almost day by day.

* * *

"MEANWHILE WE shall do our best to solve the problems the Warren court has thrust upon us. This may take a long time, but let our resistance be fortified by the belief that we are fighting to preserve the fundamental principles of our constitutional democracy."

Byrd said the "growing alarm" over recent decisions of the Supreme Court have found expression in Congress, in the American Bar Assn. and among state jurists, governors and attorneys general.

The reason, he said, is that the decisions show what appears to be a "well-conceived plan to subvert the fundamental principles of local autonomy and state sovereignty with concentration of all power in the Federal Government."

Byrd Warns on School Violence As Weakening 'Righteous Cause'

Washington, D.C.

Sun 8-31-58

By Lawrence Stern

Staff Report[illegible]

P.

Post

BERRYVILLE, V[illegible] 30—Sen. Harry F. Byrd (D-Va.) cautioned Virginia today against "violence or rioting" in battling desegregation of its public schools.

Speaking to 3500 [illegible] growers politicians gathere[illegible] in his orchards for a picnic, Byrd said, "Any disorder will weaken our righteous cause."

He added that he hoped "there will be no revival of the Ku Klux Klan or any similar organization in Virginia."

But the 71-year-old architect of Virginia's "massive resistance" program bitterly denounced what he termed the "Warren (Supreme) Court" for its school desegregation and other decisions. He also had some harsh words on the rising Federal budget.

Speaking of the possibility of school closings under Virginia's massive resistance laws, Byrd has this to say:

"The first fact to be understood universally is that if any school in Virginia is closed, or if there is any interruption in the normal operation of the Virginia school system, the responsibility will lie directly upon the Warren court and the National Association for the Advancement of Colored People which is instituting suits under the decision.

"It is the State that is trying to preserve its school system," he added. "It is the Warren court's decision, pressed by the NAACP, that would destroy it."

Byrd had "no comment," however, on the Norfolk, Arlington and Charlottesville cases, in which massive resistance faces legal showdowns in the Federal courts.

"That comes under Governor Almond's jurisdiction," he said.

Byrd alluded to President Eisenhower's news conference statement calling for slower desegregation efforts as "the most significan[illegible] statement in the whole confused situation."

He noted, however, that the President "has not said whether he favors the Supreme Court decision and he hasn't said that he doesn't favor it.

"It is unthinkable that a responsible Supreme Court decision could create such confusion and disrespect," declared the Senator.

Court hearings [illegible] three Virginia cities [illegible]eek may bring integ[illegible] [illegible]owdown; related sto[illegible] Page A-15.

'Not Law of Land'

Referring to the Supreme Court's school decision, Byrd said:

"It is not the law of the land. To say this decision is the law of the land is to give the Warren court a divine right to be wrong."

Sun

8-31-58

This drew enthusiastic applause from his listeners seated around him on apple crates.

"If the Warren court decision can be extended to direct a certain Negro child to enter a certain schoolhouse, Federal courts can select textbooks, dictate the philosophy of teachers and tell them how to teach," he added.

"If Chief Justice Earl Warren lives long enough to do that, God help the country!" Byrd exclaimed amidst applause.

The Senator, looking hale for his years, spoke in shirtsleeves from the back of a truck piled with cans of Byrd Applesauce" and "Byrd Baked Apples."

Other Rulings Hit

He lashed out not only at the school decision but also the Mallory, Nelson and Watkins rulings in the fields of criminal and anti-subversive law.

"When you look at samples of these Warren court decisions you find the reason for growing alarm," he said. "You find what appears to be a well-conceived plan to subvert the fundamental principles of local autonomy and state sovereignty with concentration of all power in the Federal Government."

After Byrd's speech, Speaker E. Blackburn Moore of the Virginia House of Delegates read a letter from Gov. J. Lindsay Almond who was unable to atend, hailing Byrd as "the greatest l[illegible] American of this day and gener[illegible]"

Byrd was [illegible] presented a resolution of apprec[illegible] signed by all members of Virginia General Assembl[illegible]

"This is indeed a surp[illegible] Byrd said.

City Bars All Negro Applicants

Charlottesville School Officials Write to Parents

By Robert E. Baker
Staff Reporter

Charlottesville's school board has rejected the applications of all 30 Negro children seeking admission to white schools.

The action was disclosed in letters to parents of the applicants.

On Monday the board will report to Federal Judge John Paul on the assignments and the results of achievement tests for Negro children.

Paul has served notice that if he finds the board has rejected the Negro children on grounds of race, he will personally take over assignments in these cases.

Hearing This Week

The development came as the South's school desegregation problem is to go before the Supreme Court this week for a hearing.

The high court will consider further arguments on the Little Rock integration case.

President Eisenhower and Attorney General William P. Rogers reviewed school integration problems yesterday but Rogers declined to reveal the results of their discussions.

In Virginia, two Federal district judges have indicated the outcome of the Little Rock case will have a bearing on desegregation in Norfolk and Arlington. Integrated schools there would be shut down by state law.

Some Arlington School Board members fear squeeze between Governor and Federal courts. Page B1.

Outside the trouble zones, integration quietly gains. Page E1.

Norfolk Situation

In Norfolk, Federal Judge Walter E. Hoffman has carefully guided a reluctant School Board into the position of tentatively assigning 17 Negroes to white schools.

They had been rejected because of "racial tension," but Hoffman told the Board the grounds were invalid. He noted that Federal Judge Harry J. Lemley had used similar grounds for suspending integration in the Little Rock case but was reversed by the Eighth Circuit Court of Appeals.

Hoffman told the school board that if the Supreme Court upheld Lemley's position, it could come back to him and he would reassign the Negroes to Negro schools.

'Worries Over' Then

"The South's worries would be over," he said, although he added he was confident the Supreme Court would uphold the Eighth Circuit decision.

The School Board moved the opening date for schools from their scheduled start on Monday until Sept. 22. Board members are sitting tight awaiting any Supreme Court action.

In Arlington, Federal District Judge Albert V. Bryan heard attorneys attack the School Board's rejection of 30 Negro applicants for white schools on various grounds.

He said the School Board could open schools on a segregated basis Monday pending his decision, which he postponed until after the Supreme Court hearing.

No Racial Angle

Judge Bryan reasoned differently from Hoffman. None of the Arlington rejections was for racial tension, and tension in Arlington was not an issue.

Bryan noted that another issue in the Lemley decision, perhaps more important than the one of tension, was the problem of defining what the Supreme Court—in its momentous school desegregation decision of 1955—meant by "all deliberate speed."

Lemley had said in his decision: ". . . it does seem to us that the term is a relative one, dependent upon varying factors and circumstances in different localities, and that what might be 'deliberate speed' under one set of circumstances could constitute headlong haste in another."

In fact, one of the grounds on which the Little Rock School Board based its request for a suspension of integration was to provide time for "all deliberate speed" to be clearly defined.

In the Norfolk and Arlington cases Attorney General Albertis S. Harrison presented an argument for another year's delay in desegregation in Virginia when he urged that the actions taken by the school boards could be considered as having met the "all deliberate speed" qualification.

Just as dramatic and persuasive was the argument of Spottswood W. Robinson III, attorney for the Negro students.

Opening Delayed

Charlotesville, too, has postponed the opening date of schools until Sept. 15—after the Supreme Court hearing.

Last Thursday Gov. L. Lindsay Almond issued a policy statement to School Boards under Federal court orders to desegregate. His advice, in effect, was not to assign any Negroes to white schools even if ordered to do so by the courts.

He said the Federal courts neither had the authority to assign the Negroes themselves nor to force the school boards to do it.

It was generally a statement of stiffening posture. One aim was to deter the Norfolk School Board from making assignments, because this would molest the state's policy of forcing the Federal courts to make any assignments and take the blame for school closings.

Almond Criticized

It also was designed to get the ardent segregationists off the Governor's back, for they have descended upon him in force for what they consider his "recalcitrant" attitude toward enforcing state anti-integration laws.

It was further designed to manufacture, if at all possible, another round of appeals with another year's delay.

The Governor asked the affected communities not to open their schools before the Supreme Court's Little Rock decision. That ruling, he said, would have an "impact on Virginia."

But immediately after the **Governor had issued his instructions, the desegregation issue popped up in two other** localities as the attack against massive resistance grew stronger.

Judge Paul to Act

Judge Paul on Friday said he would issue an injunction on Monday to stop the Warren County School Board from denying admittance of Negro applicants to the county's only high school in Front Royal, 70 miles from Washington, D. C.

If he grants a stay during an appeal, no integration would would take place now. If he refuses, and the Fourth Circuit Court of Appeals refuses, then desegregation would come—and State law would shut the high school's doors.

In Alexandria attorneys for 14 Negroes have asked Judge Bryan to issue a temporary injunction against the Alexandria School Board to prohibit it from barring Negroes from white schools. They asked a hearing at 10 a.m. Monday.

In Richmond, six Negro children have filed suit for admission to white schools.

Richmond schools are due to open Monday, the day when Negro attorneys will appear before Federal Judge Sterling Hutcheson to ask for a **speedy hearing on the case.**

Post
Washington D.C.
Sun 9-7-58
P.1

Post
Sun 9-7-58

Eleven Negro Youngsters Boycott Tests

CHARLOTTESVILLE, Va., AP—Eleven Negro high school children seeking admission to Charlottesville's white Lane High boycotted achievement tests scheduled Monday by the City School Board.

Similar tests are scheduled for Tuesday for 20 elementary school children seeking transfer from Negro to white schools.

Post Times Herald

John S. Battle Jr., City Attorney and counsel for the School Board, told newsmen late in the day that Oliver W. Hill of Richmond, attorney for the Negro children, telephoned him and advised the plaintiffs would not comply with the program of screening, testing and assignment set up by the board.

Hill said counsel for the children wanted to arrange a date with Board counsel for further arguments before Federal District Judge John Paul who has ordered Charlottesville's public schools desegregated in September.

"It's perfectly obvious the attorneys for the NAACP have recommended that their clients not cooperate with us in this program," said Battle. "We are going to go forward with the program."

At Richmond when a reporter asked why the Negro pupils had not taken the tests, Hill said:

"I discussed the matter with my clients. It appeared to us the tests were discriminatory and merely an effort to evade the Court's order. For that reason, we determined not to take the tests at this time but to take up the matter with the Cours."

9-22-58
P.1

Court forbids ~~[illegible]~~ placement act ~~[illegible]~~ plan in Virginia

News

CHARLOTTESVILLE, Va., Aug. 28—(AP)—Corporation Court Judge George M. Coles today issued a temporary injunction forbidding the Charlottesville School Board from assigning any pupils, white or Negro, to city schools.

The restraining order, identical with an injunction previously issued against the Norfolk School Board by two state Supreme Court justices, is effective today and continues in effect through Oct. 15.

Collins Denny Jr., an attorney for two white parents who sought the injunction, told Judge Coles it was needed "as a matter of protection for the people of this area and the school board."

But John Battle Jr., Charlottesville city attorney, declared that under orders of U. S. District Court Judge John Paul "the school board has no choice, if it is to save itself from contempt proceedings, but to act to assign pupils."

IMMEDIATELY AFTER issuance of the temporary injunction by Judge Coles, school officials said efforts would be made to hold a special school board meeting today or tonight.

Battle said he had "no present intentions of appeal."

A principal topic of discussion for the meeting, it was learned, will be the possibility of delaying the opening of city schools at least one week beyond the scheduled Sept. 2 opening date to allow the legal picture to clear. The school board also has yet to complete action on the applications of 30 Negroes for admission to the city's white schools.

THE INJUNCTION petition contended the Charlottesville board's pupil assignment plan was "in violation and open disregard" of state law, which vests all pupil assignment powers with the Virginia Pupil Placement Board.

Birmingham Ala
Thurs 8-28-58
P.7

Imperial

Race Dilemma Curbs Start Of Charlottesville Schools

Fla. Times-Union

Jacksonville, Fla.

CHARLOTTESVILLE, Va., Aug. 28 (AP) — The opening of Charlottesville's integration-threatened public schools tonight was postponed until Sept. 15.

Fri 8-29-58

The one exception is Burley High School for Negroes, which will open on the previously set date of Sept. 2. The opening date for this school was not changed because it is jointly operated by the city and adjacent Albemarle County.

P.1

John S. Battle Jr., city attorney and architect of the school board's local assignment plan, hinted, however, some schools might not open Sept. 15 because of state law, which requires the closing of any integrated schools.

He said the school board expects any school "not affected to open in an orderly manner on the 15th. We will know then which schools will be affected."

Charlottesville is under federal court order to desegregate schools when they open next month. The school board has not yet taken any action on the applications of 30-odd Negroes to white schools.

Federal District Judge John Paul has warned the school board he might undertake the assignment of pupils himself if he feels the board has discriminated against them.

Paul has asked to see the results of tests and interviews the Negroes submitted to as part of the schoolboard's assignment plan. Battle said he expects to arrange a meeting some time next week at the convenience of the court and opposing counsel to present the board's conclusions.

"Enough time will be left for either of the parties to take such appeals as indicated," Battle said.

He added, though, no decision has been made on whether the school board will attempt to assign any pupils to public schools.

An injunction was issued by Charlottesville Corporation Court Judge George M. Coles today enjoining the school board from assigning any pupils—white or Negro—to public schools.

Today's injunction, bitterly opposed by the school board, was granted by Charlottesville Corporation Court Judge George M. Coles and is effective immediately. It extends to Oct. 15.

The injunction was sought by attorneys for two white parents who contended that the local assignment plan adopted by the school board usurped powers held solely, under state law, by the state pupil placement board.

Object of the petition, backed by the most ardent segregationists, was to block the possible assignment by the school board of some Negro pupils to Charlottesville's white schools. Virginia law calls for the immediate closing of any school in which the races are mixed.

AT CHARLOTTESVILLE

Montgomery Advertiser

Virginia School Board ~~Advertiser~~ Delays School Opening

Montgomery, Ala.

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Fri 8-29-58

P.1

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Advertiser

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Charlottesville Turns Down 30 Negro Pupil Applicants

Advertiser

Montgomery, Ala.

CHARLOTTESVILLE, Va. (AP) — The School Board has rejected applications of 30 Negro pupils for admission to the city's white schools, the National Assn. for the Advancement of Colored People announced Saturday.

George F. Ferguson, president of the local chapter of the NAACP made the announcement and added, "We are not at all surprised."

Sun. 9-7-58

School Board officials, who must report to Federal Judge John Paul next Monday on their review of the 30 Negro applications, declined to reveal their action taken under a local pupil assignment plan.

P.3F.

Letters had been mailed by the School Board Friday night to parents of the Negro applicants disclosing the assignment made on each specific application.

Judge Paul has indicated that if he finds the School Board has discriminated against any Negro pupils because of their race in making the assignments, he will assign them himself.

Ferguson said the NAACP had confirmed the rejection of all the applicants by collecting all of the letters mailed to Negro parents by the School Board.

He said the NAACP, whose lawyers represent the Negro children, is "confident that the court will unmask the board's camouflage and will make the assignments on a just a legal basis."

Ferguson said the NAACP regrets "that the board did not take this opportunity to reveal to everyone that it possesses the necessary degree of integrity and sense of fair play to make the assignments."

Under Virginia law, if any Negro is admitted to a white school, that school will be closed. Charlotteesville schools will open Sept. 15. The School Board earlier this week postponed the scheduled opening of Sept. 2.

14d(1) 1958

VIRGINIA

CHARLOTTESVILLE

Va. City Postpones Opening Of Schools

Charlottesville Board Is Caught Between Federal, State Edicts

News Courier

p1

Charleston S.C.

8-29-58

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ADDED DELAY HINTED

John S. Battle Jr., city attorney and architect of the school board's local assignment plan, hinted, however, some schools might not open Sept. 15 because of state law, which requires the closing of any integrated schools.

He said the school board expects any school "not affected to open in an orderly manner on the 15th. We will know then which schools will be affected."

Charlottesville is under federal court order to desegregate schools when they open next month. The school board has not yet taken any action on the applications of 30-odd Negroes to white schools.

U. S. Dist. Judge John Paul has warned the school board he might undertake the assignment of pupils himself if he feels the board has discriminated against them.

ASK FOR TESTS

Paul has asked to see the results of tests and interviews the Negroes submitted to as part of the school board's assignment plan. Battle said he expects to arrange a meeting some time next week at the convenience of the court and opposing counsel to present the board's conclusions.

"Enough time will be left for either of the parties to take such appeals as indicated," Battle said.

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The injunction was sought by attorneys for two white parents who contended that the local assignment plan adopted by the school board usurped powers held solely, under state law, by the State Pupil Placement Board.

Object of the petition, backed by the most ardent segregationists, was to block the possible assignment by the school board of some Negro pupils to Charlottesville's white schools. Virginia law calls for the immediate closing of any school in which the races are mixed.

NORFOLK CASE

The injunction, identical with one issued against the Norfolk School Board earlier by two justices of the Virginia Supreme Court, came just as the school board was preparing to finish work on the applications of 30 Negro pupils for transfer to white schools.

The board is to report to Judge Paul within a few days on its disposition, under the local assignment plan, of the 30 applications.

At Charlottesville, Va.

News-Observer

Raleigh N.C.

Injunction Restraining School Board Is Issued

Mon. 8-29-58

P.1

CHARLOTTESVILLE, Va., — Corporation Court Judge George M. Coles Thursday issued a temporary injunction forbidding the Charlottesville School Board from assigning any pupils, white or Negro, to city schools.

The restraining order, identical with an injunction previously issued against the Norfolk School Board by two State Supreme Court justices, was effective Thursday and continues in effect through Oct. 15.

Collins Denny Jr., an attorney for two white parents who sought the injunction, told Judge Coles it was needed as a matter of protection for the people of this area and the board.

But John Battle Jr., Charlottesville city attorney, declared that under orders of U. S. Dist. Court Judge John Paul the board has no choice, if it is to save itself from contempt proceedings, but to act to assign pupils.

Battle said he had no present intention of appealing.

A principal topic of discussion for a board meeting, it was learned, will be the possibility of delaying the opening of city schools at least one week beyond the scheduled Sept. 2, opening date to allow the legal picture to clear. The board also has yet to complete action on the applications of 30 Negroes for admission to the city's white schools.

The injunction petition contended the Charlottesville board's pupil assignment plan was "in violation and open disregard" of state law, which vests all pupil assignment powers with the Virginia Pupil Placement Board.

Officials Back Almond Policy

Washington Post

Washington D.C.

Thurs. 8-28-58

P.B1

CHARLOTTESVILLE, Va. Aug. 27 (AP) — Commonwealth's attorneys and county supervisors attending the local government officials conference today unanimously adopted resolutions supporting Gov. J. Lindsay Almond's vow that there will be no enforced integration in Virginia schools.

In addition, the commonwealth's attorneys said the "constitutional validity" of the state's pupil placement act "has not been impaired by any pronouncement of any Federal Court."

Almond Commended

The attorneys said they are determined that this law "should be implemented and enforced to the fullest extent, and that none of the school boards of the Commonwealth should be permitted to exercise any powers regarding the assignment or enrollment of any pupils in violation of the Pupil Placement Act.

The resolutions passed by the two groups and sent on to the Governor commended "his recent forthright statement setting forth in forceful terms that there shall be no integrated schools in the Commonwealth."

(Local Commonwealth's Attorneys attending were William J. Hassan of Arlington, Robert C. Fitzgerald of Fairfax, and Earl F. Wagner of Alexandria.

Others Attending

(Attending also were Assistant Commonwealth's Attorneys Earl E. Shaffer, Peter Kostik and K. McFarland Smith of Arlington; Lionel Richmond and Ralph Louk of Fairfax; and A. John Scariot of Alexandria.

(Arlington County Board member Leone Buchholz attended the conference, but local officials said no other member of the Arlington County Board, Fairfax Board of County Supervisors or Alexandria City Council were present. Fairfax County Executive Carlton C. Massey attended a part of the conference.)

New Charlottesville Poll Favors Segregation

Post Times Herald

P.A16

Sun 7-13-58

Washington D.C.

CHARLOTTESVILLE, Va., July 12 (AP) — A sponsor of the latest integration-segregation poll of patrons of Veneable elementary school said today more than 85 per cent of the parents responding favored a segregated private school system to integrated public schools.

The results of the poll were in contrast to an earlier survey by the Venable P-TA which showed more than half of those responding would prefer some degree of racial integration to closing of the school.

Mrs. Harold M. Burrows Jr. one of eight sponsors of the latest poll, said 216 replies were received in response to the 416 questionnaires which did not present the question the way the P-TA did it.

The second poll asked two questions: Do you prefer integrated or segregated schools? And, if integration should occur, would you prefer your children to attend integrated public schools or segregated private schools supported by tuition grants?

Showdown In Virginia

Architects In Last-Minute Emergency Meeting

Opening of school is warily awaited

By RUFUS WELLS
AFRO Staff Correspondent

CHARLOTTESVILLE, Va. — With desegregation day less than a week away, residents of Charlottesville are calmly and confidently preparing for a future filled with uncertainties.

Afro American

Day and night meetings are being held in various sections of the city. Some designed to facilitate desegregation of the public schools, others to delay it, and still others to maintain a private school system should public schools be closed by the state's massive resistance program.

Pg

Baltimore, Md.

BUT IN the meanwhile, this city of 30,000, nestled in the foothills of the picturesque Blue Ridge Mountains, goes about business as usual. The mighty dollar is still king.

A white automobile dealer who sells hundreds of new cars to the city's 7,000 colored residents, gives a typical businessman's reaction:

"I don't care whether they integrate the schools or not, but I wish they would get this thing settled. It's bad for business."

Dat. 8-30-58

Charlottesville's representative in the Virginia House of Delegates expressed the majority opinion here recently when he said the state's "massive resistance program is no longer useful."

Representative Hill said Virginia's anti - integration laws have "run the limit of serving the purpose for which they were designed."

He renewed an earlier plea that the state return control of the schools to the localities.

* * *

PERHAPS THE most active group working to implement the Supreme Court's school desegregation ruling is the Citizens' Committee, now sponsoring a workshop for students and adults. It represents approximately 95 per cent of the city's church, fraternal, social, civic and business groups. Mrs. Beatrice Fowlkes is chairman.

The initial step toward the workshop idea was made last April. The committee grew out of the NAACP branch education committee. Mrs. Otelia Coles suggested the workshop plan, and, as frequently happens in such instances, was made chairman of the workshop committee.

Other leaders in the workshop included Miss Irene Osborne of Washington, formerly associated with the Friends Service Committee of Philadelphia, and the Souther Regional Council in Atlanta. Miss Osborne worked with local residents in setting up the workshop.

The original workshop was held June 23-27. It recommended a similar workshop for parents and grown ups, and also that the workshop for students be extended.

Providing leadership for the current workshop is Miss June Shagaloff of the NAACP's national office. A social scientist, Miss Shagaloff has worked on similar projects in Cairo, Ill., and in Delaware.

Conclusions drawn by those attending the original workshop express largely views held by the majority of Charlottesville's colored citizens and a large number of white residents. They are:

"We must remember that the highest court of our land, the United States Supreme Court, has ruled that racial segregation in the public schools is unconstitutional. The so - called "massive resistance" program in Virginia is only a temporary delay in implementing the Supreme Court's decision.

"In the Charlottesville school case, the Federal court has clearly ruled that no child can be denied admission to a public school solely because of race or color.

* * *

"IN CHARLOTTESVILLE, elementary school children have the right to apply to the school closest to their home regardless of color. Colored high school students may apply for transfers to Lane High School regardless of where they live.

"We expect our schools to be desegregated this coming September. If the schools are closed, we expect them to be reopened within a short time on a non-segregated basis.

"Public school desegregation has taken place smoothly, without any difficulties in hundreds of communities, large and small. Schools are desegregated to some extent in over 1100 districts in Texas, in every district in West Virginia, in Maryland, Delaware, Oklahoma.

"Desegregation has begun in Tennessee and North Carolina.
segregated in North Carolina,
colleges have already been de-
Parochial schools and private South Carolina, Georgia, Alabama, Florida, Tennessee, and in other Southern states. Private schools and colleges in Virginia, and in Charlottesville the University of Virginia have already admitted colored students!

* * *

"GENERALLY, experiences of colored students in desegregated schools have been good ones. For one 'Little Rock' there have been scores of schools and communities where desegregation has taken place smoothly!

"We are confident that here would not deny their children a good education by either closing the schools or providing inadequate make - shift classrooms. We also feel confident that we are together in urging that law and order be upheld.

"In many communities, integration of white and colored teachers has accompanied the desegregation of schools.

"The first colored child to transfer to schools will receive our full support. Mutually we will approach this new experience with calmness, friendliness, self - respect, and respect for others.

* * *

"WE ARE determined to end segregation in the public schools. Every child from kindergarten through the 12th grade has the right to develop his full potentialities and capabilities without regard to race or color. Segregated schools would only continue to handicap our children psychologically and educationally.

"The role of the United States as a world leader is seriously imperiled if it fails to end segregation in the public schools of its colored citizens who are representative of three - quarters of the world's population.'

Charlottesville To Test Pupils

Washington Post

Washington, D.C.

CHARLOTTESVILLE, Va., Aug. 13 (AP)—Achievement tests will be given Negro applicants for entering white school, Monday and Tuesday, school superintendent F. R. Ellis said today.

Dated 8-14-58

Parents of the 34 children who have applied for admission to white schools were notified today of the new dates for the achievement tests and interviews.

P. A18

Negro pupils had boycotted achievement tests scheduled here July 21-22. The tests are part of an assignment plan devised by the city school board in an effort to keep integration of public schools at a minimum.

Charlottesville has been ordered by Federal District Judge John Paul to desegregate its schools next month.

When the assignment plan was announced, attorneys for the Negro plaintiffs challenged its validity.

At a hearing on the motion Monday, Paul said Negro pupils seeking to enter white schools would have to take the tests and interviews. But he warned that if he thought the tests were discriminatory, he would supplant the school board and assign the pupils himself.

Paul directed that the tests and interviews be rescheduled.

Judge Won't Enjoin Local Norfolk Board

NORFOLK, Va., Aug. 13 (AP)—A state judge today refused to restrain the Norfolk School Board from proceeding with the possible assignment of Negro pupils to white public schools.

"This court cannot act until the School Board does enroll children in the schools," said Circuit Judge Clyde H. Jacob.

Norfolk, ordered by Federal District Court to desegregate its schools in September, sought to satisfy the court by setting up a local assignment plan.

Lewis S. Pendleton Jr., of Richmond, attorney for a couple who wish to block the city's assignment plan, contended placement and enrollment powers had been removed from local school boards by state law and vested exclusively in the Pupil Placement Board.

W. R. C. Cocke, counsel for the school board, said the board has not assigned or enrolled any Negro pupils. Pendleton said the school board's assignment plan, based on a series of tests and interviews of Negro applicants for white schools, evades and disregards state law.

Cocke said the school board does not intend to disregard state law but merely attempted through the tests to determine which Negro children are eligible for admission to white schools.

14d(1) 1958

School District Plan In Virginia Rejected

Fla. Times-Union
Jacksonville, Fla.
Wed. 8-27-58
P. 1

HARRISBURG, Va., Aug. 26 (AP)—Virginia's policy of massive resistance to racially integrated schools suffered another setback here today as federal district Judge John Paul declined to approve in its entirety the school districting plan of the Charlottesville School Board.

Paul said he felt that some phases of the plan were not discriminatory but he was troubled over other phases of it.

John S. Battle Jr., attorney for the school board, said the board would appeal the decision.

Today's hearing was requested by the board to get a definite "yes" or "no" answer on the validity of the districting plan. Under the plan, a new district surrounding Jefferson School, a Negro school, was established. All 30 Negro applicants to white Charlottesville schools live in the new district.

Hits New District

At a previous hearing in the case Paul had said he would be inclined to look upon the new district as "gerrymandering." He added he might be inclined to disregard the district if and when he supplants the school board and makes pupil assignments himself.

Paul had said he might take over assignments should the tests and interviews set up by the board under its local pupil assignment plan prove discriminatory.

School board attorneys agreed today to show Paul the results of the tests and interviews in a meeting early next week.

Charlottesville's public schools are scheduled to open next Tuesday.

In another development today on Virginia's far-flung school segregation battleground, counsel for 30 Negro students petitioned the federal district court in Alexandria in an effort to compel Arlington County school officials to integrate schools next month.

Asked for Orders

Last year Judge Albert V. Bryan ordered the admission of seven specific Negroes to white schools. Today's request was that he provide what additional orders are necessary to clear the way for the entrance of five of the seven still seeking admission to Arlington white schools, along with 25 other Negro students.

In Norfolk, the city's school board pondered what action it should take on previously denied applications of 151 Negroes to white schools.

Federal District Judge Walter E. Hoffman yesterday told the board to reconsider all 151 applications, specifically 16 which he contended were denied because of the racial factor, and report back to him Friday.

VIRGINIA

Court Opens High School To Negroes

Judge to Sign Order Monday For 22 Pupils

Post
Washington
D.C.
Sat. 9-6-58
P. A1

HARRISONBURG, Va., Sept. 5 — Federal Judge John Paul said today that he will issue ~~an~~ emergency order ~~on Monday~~ directing the Warren County School Board to admit 22 Negroes to the County's white high school in Front Royal.

Judge Paul said he will grant immediate relief because there is no high school for Negroes in largely agricultural Warren County. The request off our other pupils for admission to a white elementary school must go through normal legal proceedings, Paul said, because they may attend the County's Negro elementary school in the meantime.

If the order is signed Monday, the children will be eligible to enter Warren County High School on Tuesday. Under state law the 1242-pupil school, only secondary school in the county, would be closed. Warren County Schools opened last Tuesday.

Paul told reporters of his plans after a closed-door conference with Virginia's Attorney General Albertis Harrison, school board attorney William J. Phillips and Oliver W. Hill attorney for the National Association for Advancement of Colored People, who represented the children. The meeting lasted one hour and 50 minutes.

Post

Asked if the order would allow Negro pupils to enter the white high school immediately Paul said. "I intend that to be the effect of it." Paul told attorneys that the transfer "should be done as near as possible to the opening of school."

Sat. 9-6-58

Warren County's 54 Negro high school students are now transported to schools in Manassas and Berryville. The 50 pupils who attend Manassas Regional High School are boarded there at County expense during the week and driven home on weekends. The Berryville students commute daily.

"They are being sent 40 or 50 miles to school and that is a practice which has definitely been condemned in this state," Paul declared. He said a Federal Court ruled 9 years ago, in a case involving Pulaski County, that educational facilities must be provided for Negroes within county limits.

Silent on Appeal

Judge Paul said it would be possible for the school board to appeal. He refused, however, to say whether the desegregation order would be suspended during the appeal process.

Harrison declined to say whether he plans to appeal. So did School Supt. Q. D. Gasque, who had waited outside Paul's chambers during the conference.

"I don't know what avenue is open to us now. I'm just lost in this whole thing," Phillips declared.

Paul said he will sign the order on Monday if it is presented in proper form by attorneys for the Negro children. Hill will be in Judge Paul's court Monday for a hearing on the Charlottesville school case.

Board's Deadline

Mrs. Willie C. Harris, who appeared in court with several of the Negro parents and children, said the children will be "briefed" on Monday. If the school is open, she said, they will attempt to enter on Tuesday. Mrs. Harris is president of the Harrisonburg chapter of the NAACP.

School Board attorneys have until Sept. 19 to file answering briefs on the complaint of Negro pupils who were denied admission to the white elementary school. Paul said a hearing will be set after the briefs are filed.

The Warren County case is the first desegregation action in the Shenandoah Valley. Negro applications were denied last month by the State Pupil Placement Board. The local school board maintained that it is bound by Placement Board assignments.

Last Saturday Hill filed a petition requesting that Judge Paul restrain the school board from barring Negroes on the basis of their race.

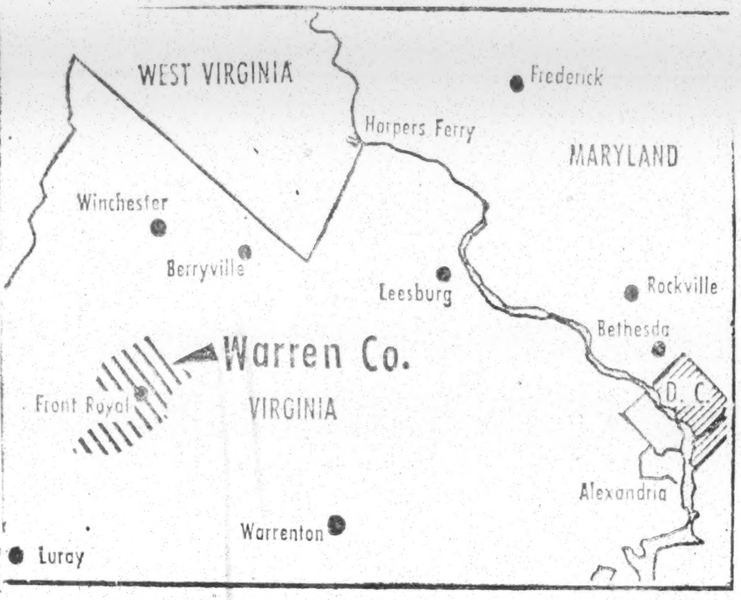
There are 3139 white and 277 Negro students in Warren County. The County's population is about 15,000. This year's school budget amounts to $791,000 of which $300,000 is paid by the state.

State aid would be cut off in the event Warren County operates integrated schools. The County is now building a $431,787 combined elementary and high school for Negroes.

Fifty white students keep Negroes out of integrated school at Van Buren, Ark. Page A6.

Fourteen Negro children ask court to force admission to Alexandria white schools. Page C1.

HARRISONBURG



The Washington Post

Map locates Warren County, Va., where a Federal Court order is impending which would direct the admission of 22 Negroes to the high school at Front Royal.

Virginia School Policy Suffers Court Setback

News Courier
Charleston, S.C.
Wed. 8-27-58

Judge Declines To Approve Plan Of Districting

P. 3-A

HARRISONBURG, Va. (AP) — Virginia's policy of massive resistance to racially integrated schools suffered another setback here Tuesday as Federal Dist. Judge John Paul declined to approve in its entirety the school districting plan of the Charlottesville school board.

Paul said he was bothered by some phases of the plan.

John S. Battle Jr., attorney for the school board, said the board would appeal the decision.

ASKED BY BOARD

Tuesday's hearing was requested by the board to get a definite yes or no answer on the validity of the districting plan. Under the plan, a new district surrounding Jefferson School, a Negro school, was established. All 30 Negro applicants to white Charlottesville schools live in the new district.

At a previous hearing in the case Paul had said he would be inclined to look upon the new district as gerrymandering. He added he might be inclined to disregard the district if and when he supplants the school board and makes pupil assignments himself.

Paul had said he might take over assignments should the tests and interviews set up by the board under its local pupil assignment plan prove discriminatory.

School board attorneys agreed Tuesday to show Paul the results of the tests and interviews in a meeting sometime early next week.

Charlottesville's public schools are scheduled to open next Tuesday.

PETITION COURT

In another development Tuesday on Virginia's far-flung school segregation battleground, counsel for 30 Negro students petitioned the federal district court in Alexandria in an effort to compel Arlington County school officials to integrate schools next month.

Last year Judge Albert V. Bryan ordered the admission of seven specific Negroes to white schools. Tuesday's request was that he provide what additional orders are necessary to clear the way for the entrance of five of the seven still seeking entrance to Arlington white schools, along with 25 other Negro students.

In Norfolk, the city's school board met Tuesday to ponder what action it should take on previously denied applications of 151 Negroes to white schools.

Federal Dist. Judge Walter E. Hoffman told the board Monday to reconsider all 151 applications, specifically 16 which he contended were denied because of race, and report back to him Friday.

JUDGE ISSUES MIXING ORDER

Times Picayune

New Orleans La

Can't Bar Negroes from Only High School

Sat. 9-6-58

HARRISONBURG, Va. (AP) — U.S. Dist. Judge John Paul told the Warren County School Board Friday it could not bar Negro pupils from the county's white high school. The lack of a Negro high school in the northern Virginia horse-breeding county was cited as a major reason for the decision.

P. 2

Paul suggested his ruling did not mean Negroes would be admitted to the white high school immediately. He noted that the decision was appealable. Warren schools opened this week.

He denied a preliminary injunction sought to require the admission of half a dozen Negro elementary children to white schools until this petition has been heard in open court. The board has 20 days in which to answer the motion for this injunction.

PULOSKI RECALLED

Counsel for the board and the Negro children met with Judge Paul in chambers for nearly two hours before the decisions were announced.

Judge Paul said the Warren County case was like that in Pulaski County nine years ago under idenical circumstances. Pulaski sent its Negro high school pupils to a Montgomery County school. The U.S. Court of Appeals ordered that Negro children had to be provided with equal facilities, or be admitted to white schools. A Negro high school was provided.

Board representatives showed Judge Paul today the board's blueprints for a half-million-dollar Negro high school to be built by the county.

NORFOLK SITUATION

At Norfolk, attorneys for that city's school board postponed requesting U. S. Dist. Judge Walter E. Hoffman to provide protection against a state court injunction barring assignment of Negro children to white schools there this month.

The ttorneys said the postponetment resulted from Thursday's policy statement by Gov. J. Lindsay Almond Jr., advising school boards to refrain from making such assignments and advising the Norfolk board not to ask Hoffman to set aside the injunction. A final decision has not been made on wheher to ask such protection later, counsel said.

In Charlottesville, the school board met to decide how many, if any, Negroes it would assign to white schools as ordered by Judge Paul.

U.S. Writ Asked by Va. Negroes

Times Picayune

HARRISONBURG, Va. (AP) —Lawyers for Negro pupils seeking admission to Warren county white schools Friday asked federal judge John Paul for an injunction prohibiting the county school board from denying the Negroes enrollment because of their race.

The petition was mailed to U.S. district court by NAACP attorney Oliver Hill of Richmond in behalf of the parents of 26 Negro children. The children were among 30 who applied to the school board earlier this month for enrollment in white schools for the session opening Sept. 2.

p. 1

Sat. 8-30-58

A spokesman for the court said the petition suggested that Judge Paul hear arguments on Sept. 5 but that the judge had not yet set a date.

New Orleans La.

Signing the petition as legal representatives of 13 Negro parents were Hill, Spottswood Robinson III of Richmond and S. W. Tucker of Emporia.

Test Plan To Skirt Va. Integration

Defender

HARRISONBURG, Va.—(UPI)— A pupil assignment plan, advised as a hoped-for means of keeping public schools open in the face of integration orders, was put to a crucial court test here yesterday

p. 1

On the outcome hinges the immediate future of the Virginia public school system. Under the state's "massive resistance" laws, any school that is integrated must be closed.

Chicago

The assignment plan reorganized the city's school districts to put all 34 Negro applicants for admission to white schools in one district now served only by Negro schools.

Sat.

8-23-58

The plan was written and adopted after Federal Judge John Paul ordered Charlottesville, home of the University of Virginia to desegregate schools in September.

A battery of attorneys representing the two sides began arguments on the validity of the plan

If the assignment plan is upheld, it could mean that Charlottesville will escape integration for at least another school semester.

The plan also provided for tests and interviews to be given Negro students in the processing of their applications for white schools. All 34 students boycotted the tests after NAACP charges that the plan was "discriminatory."

The deadline for taking the tests under the assignment plan has passed. The school board has indicated it would not consider the Negro applicants for admission to white schools after the Negroes refused to take the tests

A pupil assignment plan in Norfolk will undergo two court tests within the next seven days.

Next Monday, school board officials will go into U. S. District Court at Norfolk to defend the plan from attacks by Negro attorneys who charge that it is "discriminatory" and invalid.

Arlington County, Virginia's third integration - threatened locality, does not have a pupil assignment plan. It is under direct federal court order to admit seven Negro students to white schools The county has turned Negro applications for entrance to white schools over to the state's pupil placement board.

Charlottesville Racial Issue Before Court

Star

HARRISONBURG, Va., Aug. 11 (AP).—A court test of a pupil assignment plan by which the Charlottesville School Board hopes to lessen the impact of court-ordered racial desegregation of the city's public schools next month was scheduled here today before Federal Judge John Paul.

p. 1 B

Arguments were scheduled first on a motion by John S Battle, jr., attorney for the school board, to discuss a move by Negro attorneys to have the assignment program declared invalid on grounds it is discriminatory. Mr. Battle's motion, filed Friday, said the Negro motion was inadequate in law.

Wilmington Del

The complaint by Negro attorneys contends the program is discriminatory in that it requires certain tests and interviews to be taken by children seeking to exercise their constitutional right to attend nonsegregated schools but does not require the same of children not seeking to exercise the right.

Mon. 8-11-58

Districts Established

School officials instituted the program after Judge Paul ordered an end of racial discrimination in the city's public schools in September. At the same time, Judge Paul ruled Charlottesville Negroes did not have to comply with provisions of the Virginia pupil placement act.

Geographical districts were set up for each of the city's elementary schools, including Jefferson Elementary School, which heretofore has served all Negro elementary children in the city without having a specific boundary.

All 34 Negro children seeking admission to white schools live within the new Jefferson school district, but only 22 of them normally would be assigned to Jefferson because 12 have applied for enrollment at Lane High School.

The Charlottesville School Board specified that an elementary school child living in a district served only by a school attended primarily by pupils of another race or color should be enrolled in a school of a neighboring district occupied predominantly by pupils of his own race.

Tests Were Required

The only way the board would consider assignment of a child to the school in the district in which he lives would be on written application for transfer filed with the school superintendent at least 60 days before the beginning of the session for which the child sought admission.

In addition, the program called for the testing of all children transferring to city schools. Interviews were required for children seeking to transfer to a school attended predominantly by members of another race.

Virginia Faces a Grim Deadline

New York Tribune

By WILLIAM G. WING

New York N.Y.

NORFOLK, Va.

A native, such as myself, finds on return here from New York a state of suspense. No one knows exactly what will happen to the city's public schools when they open in September.

The school board is under court order not to assign pupils to schools on the basis of race. Norfolk is one of five communities in Virginia where the order is unequivocal, tried by appeal all the way to the United States Supreme Court and reaffirmed.

Norfolk's school board has received requests for transfer to white schools from 151 Negro students. It is giving "placement" tests to many of them (the rest are boycotting the tests). A school official said there is every reason to believe that some of these Negroes will be enrolled in white schools.

Sat. 8-9-58

But under a recent state law, any integrated school is automatically closed. Gov. J. Lindsay Almond, apparently the only person in Virginia who knows exactly how the resistance-to-integration laws will work, has indicated that the simple act of enrolling a Negro pupil in a white school will be enough to close the school—in other words, it will be closed before it is opened.

The board, after its most recent meeting, put the problem this way:

P. 8

"The Norfolk School System is in a precarious predicament. By Federal court order, which will be obeyed, we may have to admit colored children to our white schools. If this comes to pass those schools will be closed by state law. . . . The school board at present has no solution to this dilemma."

There is now a general sense of treading water. This state of suspension has been achieved after several changes in local opinion.

The original Supreme Court decision on segregation in the public schools came at a time when Norfolk was at its most prosperous and successful. In three centuries it had had its share of bad luck: blown to smithereens by a British fleet, burned, almost wiped out by yellow fever, occupied by Yankees and referred to in nasty terms by sailors all over the globe. Now it was not only the world's largest naval base and a busy seaport but also had several major achievements to its credit, from cleaning up Hampton Roads to clearing Negro slums. It was more cosmopolitan than the rest of the state and apparently less worried about integration.

After the court's decision had been announced, the local school board said: "We intend, without mental reservations, to uphold and abide by the laws of the land."

Sen. Harry F. Byrd, D., Va., then proclaimed the policy of "massive resistance" to integration which was accepted as dogma by the state machine he controls.

Norfolk's delegation to the State Legislature served as the principal opposition to this policy at the special session in 1956 which passed the basic resistance laws. The Norfolk delegation held that each community should have the right to work out its own solution to the problem of integration.

The following year, all eight of the delegation came up for re-election. While all were re-elected, three of them had a narrow squeak. They were opposed in the primary by three citizens running on massive-resistance platforms, and the returns showed that the three incumbents lost the white vote and were re-elected by the Negro vote. The delegation returned to Richmond apparently chastened.

Then came Little Rock and, according to reporters here, the sight of Federal bayonets in front of a city school brought an almost universal change in attitude in Norfolk from indifference to anger and fear. The city gave its vote for Governor to Mr. Almond, who had seized on Little Rock as an issue, against the Republican Ted Dalton, who had carried Norfolk in a previous election.

Since then the Norfolk delegation—with one exception—has gone along with the massive-resistance program.

It changed, according to Delamater Davis, one of the delegates, "because we felt the people have spoken."

"But I still feel the right principle is the right of self-determination," he added. "I think once schools are closed, the mothers and fathers who haven't taken any stand are going to wake up with a dreadful start, and when they see their children going without education—then we're going to hear that sentiment we haven't heard so far."

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17 STUDENTS ACCEPTED FOR SIX HIGH SCHOOLS

NORFOLK, Va. — (UPI) — The Norfolk school board agreed Friday to enroll 17 Negro students in six previously white schools, despite a Virginia law that would automatically close any racially-integrated school.

In a dramatic, six-page report to U. S. District Judge Walter E Hoffman, the board said the Negroes were acceptable for admission for the current term beginning Sept. 8.

World

p. 1

Hoffman was then asked to defer the enrollments until the 1959 term, but he indicated he would deny the request to delay integration of the schools.

School board attorney, W. R. C. Cocke, in the motion to defer integration until 1959, said the people of Norfolk, school officials, parents and students were "wholly unprepared" to cope with integration this fall.

Atlanta Ga.

FIRST APPROVED INTEGRATION

It marked the first time in Virginia history that a school board had approved integration of public schools. At the same time, it created the first direct conflict with state laws to automatically close public schools which permit integration.

Sat 8-30-58

Gov. J. Lindsay Almond was vacationing at an undisclosed spot when the board's decision was read by school board chairman, Paul G. Schweitzer. Almond has said repeatedly, however, he will enforce state laws calling for continued school segregation.

Schweitzer said the board's decision was "in compliance" with Hoffman's earlier order to desegregate the classrooms of this seaport city of 290,000.

Hoffman said he would permit a "reconsideration" of the decision if the U. S. Supreme Court grants a 2½-year delay in integration at Central High School at Little Rock, Ark., as was requested.

JUDGE DOUBTS DELAY

But Hoffman, who gave the school board orders Monday to reconsider its rejection of 151 Negro applicants for white schools here, doubted if the high court would grant the Little Rock delay.

Patricia Godbolt, 16, was among the Negroes admitted. School Superintendent J. J. Brewbaker had testified earlier that Miss Goldbolt was qualified to attend a white school and would have been assigned to one if she "had been white."

In Arlington, Va., the county school board formally requested police protection during the opening of Arlington schools Sept. 4. Thirty Negroes have asked for admittance to white schools in the Washington suburb.

And at Charlottesville, Va., the city school board Thursday night delayed the opening of schools from Sept. 2 until Sept. 15, pending the settlement of legal conflicts surrounding the city's pupil assignment plan and a federal court order to integrate.

World

THE STATE BOARD

Meanwhile in Richmond, the State Board of Education adopted a plan setting up the machinery for distribution grants to children attending the segregated private schools.

Sat 8-30-58

The plan, recommended by a committee of the board, implemented a state law authorizing such grants, part of Virginia's "massive resistance" to integration.

It provides for grants to children in localities where all schools are closed by a state law prohibiting integration; where one or more schools or individual classrooms thereof close because of integration; or to children whose parents object to attendance of integrated schools.

Friday's plan spelled out the method of distribution of the funds not provided for in the law. Under the committee's plan, local school boards would hand out the tuition funds in not less than three equal installments.

Before receiving the first payment, parents must prove their child is enrolled in a private, nonsectarian school. The second installment is payable at the end of the fourth month of the school term, and the third 30 days before the term ends.

The new plan also set down standards a private school must meet for its students to be eligible for tuition grants.

Private groups in several integration-threatened Virginia localities, including Norfolk and Charlottesville, have received charters from the State Corporation Commission for operation of stand-by private segregated schools in case public schools are closed by integration. The Charlottesville and Norfolk groups have said they are primarily dependent on state grants to finance their school operation.

Norfolk, Va. Must Reconsider Negro Pupils Admission

NORFOLK, Va. — (UPI) — U. S. District Judge Walter E. Hoffman ordered the Norfolk school board Monday to reconsider the 151 applications by Negro pupils, seeking admission to white schools, which the board rejected last week.

Call

p. 1

Hoffman said that the three reasons given by the board for rejecting some of the applicants were unconstitutional. He said the school board's argument that racial tension was grounds for turning down seven of the Negro applications was not valid.

Kansas City Mo.

Hoffman also found that the board's argument that some of the students should not be transferred too frequently was not valid. The board rejected eight other Negores on the grounds a Negro school was being built near their homes and they would be returned to those schools when they are ready.

Fri 8-29-58

Hoffman also found the board's argument that a Negro child's "isolation" in white schools was also invalid.

Three children were rejected for this reason:

Negro Pupil Pleas Go Back to Board

Herald
P 5A
Miami Fla.
Tues. 8-26-58

NORFOLK, Va. — (AP) — A federal district judge Monday returned to the Norfolk School Board for further consideration the applications of all 151 Negroes who sought admission to white schools.

Judge Walter E. Hoffman referred the applications back to the board "for such further consideration, if any, as you may deem proper and legal" by reason of his interpretation of the board's duties as related to principles of law.

He instructed the board to report the results of its "actions, if any," Aug. 29. Norfolk schools reppen Sept. 8.

The school board's decision is due one day after a special Supreme Court session, called Monday, to consider the Little Rock, Ark., segregation case. Judge Hoffman has said he would not order desegregation of Norfolk schools if the Supreme Court upholds a district court's 2½-year delay—since overturned by the U.S. 8th Circuit Court of Appeals—in Little Rock.

Hoffman told the board it may not consider the possibility of racial tensions or isolation of a Negro child in a predominantly white school as "a sole legal excuse for denying an otherwise qualified Negro child admittance into a previously all-white school."

The judge instructed the board it is not required to admit a Negro child whose scholastic qualifications have been determined by tests and interviews to be insufficient.

Hoffman said the board not be required to reconsider the applications of these 26 Negroes and also of those 63 who did not take the tests.

The board may defer enrollment of a Negro applicant for one year if the board is certain enrollment now would necessitate unnecessary transfers.

RECHECK ORDER TO SCHOOL BODY

Times-Picayune
New Orleans La.

Cannot Bar Negroes on Tension Issue, Ruling

Tues. 8-26-58

NORFOLK, Va. (AP)—Federal Dist. Judge Walter E. Hoffman Monday directed the Norfolk school board to re-examine applications of Negro children for admission to white schools—15 applications in particular.

He advised the board of what he considered reasonable grounds for denying applications by Negroes for admission to white schools.

P. 7

TO REPORT FRIDAY

Hoffman told the board to take another look at 151 such applications previously denied and let him know by Friday what further consideration, if any, "you may deem proper and legal." The school board will report one day after the U. S. Supreme Court meets in Washington to consider the Little Rock, Ark., school segregation case.

In his statement, read to school board members as they sat in the jury box, Hoffman said academically qualified Negro students could not be refused admission to white schools because their assignment might cause racial tension, or because they would be isolated in the white schools to which they are assigned.

During last week's hearings in the same court, opposing counsel agreed 15 Negro students had been denied admission to white schools on these grounds under the school board's pupil assignment program.

15 CASES CRUCIAL

These 15 applications appeared to be the crucial ones.

Opposing counsel agreed Monday afternoon to include one more Negro applicant with the other 15. These 16 Negroes applied for admission to Norfolk's three high schools and to two of its junior high schools.

Hoffman told the school board it would not be required to consider the applications of 63 Negroes who did not take scholastic qualification tests and interviews.

His instructions appeared to support the school board's rejection of 35 of 50 Negroes who took the tests and later petitioned Hoffman to direct the school board to admit them to white schools. Thirty-eight other Negroes who took the tests did not so petition.

The problem faced by the school board is accentuated by state law, which calls for the closing of an integrated school. Norfolk schools are scheduled to open Sept. 8.

City School Superintendent J. J. Brewbaker told reporters the school board will meet at 10 a.m. Tuesday to begin reconsideration of the applications. He said his personal feeling is that the board should not make any public announcement of action taken before it reports to Hoffman Friday.

COULD ASK 'RELIEF'

As Hoffman adjourned his court until Friday he told the school board that should they decide to assign one or more Negroes to white schools and should they feel the need of relief from a recent Virginia supreme court injunction they could file a petition asking him for relief.

Norfolk Delays School Bills

Evening Star
Washington, D.C.

NORFOLK, Va., Sept. 3 (Special). — The Norfolk School Board has decided to postpone the opening of schools until September 22.

Schools were scheduled to open next Monday, but board members decided at a special meeting yesterday to put off the fall term because litigation is still pending in the Norfolk integration case.

Wed. 9-3-58

Norfolk has announced it will assign 17 Negro students to six white schools in obedience to a Federal Court desegregation order. Legal steps are necessary to dispose of a State Court injunction forbidding any assignments by the school board before the integrated enrollments actually can be made.

P. A29

The postponement will push the opening of Norfolk schools beyond the date of an expected ruling in the Little Rock case. Judge Walter Hoffman in the Norfolk case indicated **he would call off any integration** if the Supreme Court sustains Judge Harry J. Lemley's 2½-year delay in the Little Rock case. But Judge Hoffman made it clear that he did not expect that to occur.

Children pressing for entry

Afro American
P 9
Sat. 8-30-58

NORFOLK, Va.—With public school desegregation, via order of Federal courts, staring them in the face this month, state and school officials of at least two Virginia cities last week huddled frantically in search of a way out.

Desegregation has been ordered in September for Arlington, Norfolk and Charlottesville. Federal Judge Walter E. Hoffman, who ordered Norfolk integration, has stated he would rescind the directive if the Supreme Court grants a delay in the Little Rock case, now being appealed.

Baltimore Md.

Meetings of the school officials and secret talks have highlighted activities in Arlington as the showdown between the state's "massive resistance" program and Federal court orders approaches.

IN ARLINGTON, state Attorney General Albertis Harrison met in secret conference with School Supt. Ray E. Reid. What went on at the meeting drew no comment from school board members, but here's what happened elsewhere:

NORFOLK

A total of 151 colored students have applied to enter white schools.

On July 17, the school board established a plan to process the applications.

One student withdrew and 62 boycotted the tests on the grounds they were discriminatory.

The board then rejected the 63 applications.

Of the 88 who took the tests, the board made the following disposition:

"Clearly unsuitable for assignment to white schools, 60. Reason: they failed to meet **minimum scholastic requirements.**

Rejected on grounds that they would receive no educational benefits, 4.

Rejected because "It (admission) would not be in their best interest, 24.

CONSEQUENTLY, J. Hugo Madison, attorney for the children, on Wednesday went to U.S. District Judge Walter E. Hoffman and complained of the board's action.

The judge's reaction was as follows:

He has grave doubts about the validity of the Norfolk plan, because it applies only to interracial transfers.

Attorney for the students, who boycotted the tests, are to file briefs and he will rule on that aspect of the case before school opens on Sept. 8.

He said the 88 who took the tests and were rejected by the board must be heard and the court will hear them. If necessary, the court will assign students to the white schools.

IF it is found school board members violated the court's desegregation orders, they will be held in contempt of court.

Another development in the Norfolk case was the injuction granted in Richmond by Justices Willis D. Miller and Harold F. Snead of the Virginia Supreme Court of Appeals to prevent the Norfolk board from making any assignments.

The injunction was requested by Mr. and Mrs. Coleman H. Coley, who contended that the local board had no authority to assign pupils because such power was in the State Pupil Placement Board.

ARLINGTON

Here 31 colored children have applied for admission to white schools.

On Monday and Tuesday, 27 of the 31 were interviewed by the local representative of the State Pupil Placement Board.

Interviews were held in the Arlington Trust Company Building, N. 16th St. and Courthouse Rd. They were conducted by Birchell S. Hilton, Arlington representative of the placement board.

Representing the local school board were School Superintendent Ray E. Reid and his administrative assistant, Howard R. Bovee.

AMONG questions asked were the following:

Are you seeking admission for your child because of your so-called constitutional rights?

Would you (to the student) expect to participate in any club activities?

CHARLOTTESVILLE

A total of 36 students have applied for admission to white schools.

On Monday, nine of this number took achievement tests, as required by the city school board's assignment plan.

The tests were administered by A. O. Hutton, Charlottesville, director of instruction.

All applicants are scheduled to submit to personal interviews early in the week beginning Aug. 24.

Drive Starts In Norfolk to Open Schools

1,000 Sign Petition Calling on Almond To Lift Controls

Evening Star
Washington D.C.
10-14-58
p.1

The first attempt to resume local control of schools closed by the State to avoid integration was under consideration today in Norfolk, where more than 1,000 parents and students have signed a petition pleading for the schools to open.

The suggestion that the city council and school board ask Gov. Almond to relinquish control of the integration closed schools was made yesterday by John F. Rixey, member of Norfolk's legislative delegation.

Last night, parents and students anxious to open the closed schools attended a rally at the City Arena and signed a petition addressed to President Eisenhower, Gov. Almond and the city council.

First Concerted Drive

The development in Norfolk pointed to the first concerted school-opening drive in any of the Virginia communities where schools are closed to avoid integration.

More than 10,000 students have been locked out of six white junior and senior high schools in Norfolk under the Virginia law which automatically closes any school where integration is ordered. Nearly 3,000 more students are out of three closed schools in Charlottesville and Warren County.

There were also these developments in the integration controversy:

1. The Charlottesville School Board announced it would withdraw public school teachers from private, emergency classes in that city unless parents in charge of the classes agree to admit Negroes. Whether any Negroes would apply for the classes, which are being taught in private homes and other private facilities, was not known. The board's action resulted from a Federal Court ruling that teachers on the public payroll could not be used in private, segregated classes.

2. The Virginia Supreme Court of Appeals appointed Attorney Samuel H. Williams to lead the attack on the State's massive resistance laws in a test suit the State has brought to determine validity of the whole anti-integration program.

3. Nearly 1,000 students shut out of Norfolk schools began classes in neighboring South Norfolk schools.

Delay Referendum Plans

Mr. Rixey offered his suggestion for asking return of the schools at an executive session of the city council. He proposed that the city try to get the schools back before holding a referendum to find out if parents want them reopened on a desegregated basis.

The council, which had intended to make final plans for an advisory referendum at yesterday's meeting, put off action to consider Mr. Rixey's suggestion.

Under the law which closed the six Norfolk schools, Gov. Almond may return them to local control and permit their reopening if he is requested to do so by the local school board and city council.

Evening Star
Rixey
10-14-58

But if they are opened by the locality on an integrated basis, all State school funds for elementary or secondary schools will be withheld.

Calls Vote Useless

Mr. Rixey said he told the council a referendum at this time would be "meaningless."

"The first step," he said, "would be to ask the Governor to return our closed schools to control of the city. It would show the rest of the State we want public schools."

Mr. Rixey is the first member of Norfolk's eight-man team in the General Assembly to act in the school crisis here.

His reasoning is that if Gov Almond should return the schools to the city, voters then could be asked in a referendum whether the schools should be integrated and reopened.

Almost half of the 1,200 persons who turned out last night for the school-opening rally were students from the closed schools.

SAMUEL H. WILLIAMS
Test Case Attorney
—AP Wirephoto

Norfolk police, who normally staff public meetings at the Municipal Arena with five men when public meetings are held there, had 11 men on hand last night. They were not needed, however.

Slogans on Display

The meeting, which filled less than half of the auditorium, was staged in political convention style. Teen-agers marched around the hall bearing placards which included such slogans as:

"Get Moving — Open Our Schools," "2-4-6-8 When Do We Graduate," "Idle Schools Mean Idle Minds" and "Have Books—Will Travel."

All who entered the auditorium—parents and students alike—were required to sign the petitions which read:

"We Norfolk parents (or students) strongly favor continuous operation of a free public school system under the direction of the local school board."

Four Negroes were observed in the audience.

Invocation by Rabbi

Rabbi Paul Reich delivered the invocation, which included these remarks:

"Let us know that all men are created free and equal and that each is entitled to an education."

The Rev. James Brewer of the Norfolk Unitarian Church spoke as president of the Committee for Public Schools. He referred to the City Council's plan for a referendum.

"We think," Mr. Brewer said, "all should be aware of how little such a referendum would accomplish in the way of information and how much confusion would possibly result."

Cites Loss to City

Louis Oliver, president of the PTA of Maury High School—one of the six closed schools—said the city is losing a quarter of a million dollars each month in State and Federal funds as a result of the school closings. This amounts to about $2 million a year, he said.

Dr Louise Wensel of Fishersville, independent candidate opposing Senator Byrd, Democrat, in the next month's election, received a rousing welcome after a brief statement. She spoke as the mother of five children and added that she was running against the "architect" of Virginia's massive resistance plan.

Will Representate Day

In the appellate court case Mr. Williams will represent State Controller Sidney C. Day jr., against whom Attorney General Albertis Harrison has brought a mandamus action to test the anti-integration laws.

Mr. Williams, 67, has practiced law in Lynchburg since 1914 and was the first president, in 1938, of the Council of the Virginia Staff Bar.

The justices also placed the case on the privileged docket, indicating arguments probably could be heard at the start of the court's November session.

There was also a possible an early hearing would allow the justices to pass on constitutional issues involving the State's school-closing, fund-cutoff and tuition grant laws later in the month.

State Seeks Delay In Norfolk Hearing

NORFOLK, Va., (AP) — Virginia Atty. Gen. Albertis Harrison Monday asked a three-judge federal court to delay hearing of a suit aimed at the reopening of six Norfolk schools closed under state anti-integration laws.

Attorneys for the white citizens who brought the suit voiced opposition to any delay in the hearing, now set for Nov. 19.

Harrison asked the judges to delay the hearing until after the Virginia Supreme Court of Appeals gives its decision in a similar test initiated by state officials. He said in his motion that the issues in the two cases are the same, since both challenge the validity of the state's massive resistance laws.

11-11-58
p.1
Montgomery
Ala.

14d(1) 1958 VIRGINIA

Norfolk's School Board Agrees To Mix Classes

News-Courier

Charleston, S.C.

Sat 8-30-58

NORFOLK, Va. (AP)—The Norfolk School Board yielded to a federal court desegregation order Friday and announced it will assign 17 Negro children to white schools but appealed to U.S. Dist. Judge Walter E. Hoffman to put off the day of integration from Sept. 8, when schools are due to open, until September, 1959.

Enrollment of Negro children in white schools, even on paper, would automatically close these schools under one Virginia law. Still another law would cut off state funds to the affected schools.

P1

The board said admission of the 17 Negroes this year would "unduly interfere with the proper administration of the schools affected." An extra year, it argued in a motion, is needed to prepare residents of this port city and school officials for "profound changes."

This is the first time a school board in Virginia has said it would assign Negroes to white schools. A federal judge has directed the admission of specific Negroes to white Arlington County schools, and that locality also faces the prospect of closed schools next month.

Gov. J. Lindsay Almond Jr., was vacationing and unavailable for comment.

Judge Hoffman implied that he would reject the request for a delay unless the U.S. Supreme Court permits a 2½-year delay in integration at Little Rock, Ark. Such a ruling, Judge Hoffman said, "undoubtedly would put a different complexion on this case." And he remarked: "We apparently are living on a day-to-day basis in this matter."

Judge Hoffman said if the Supreme Court permits the delay at Little Rock, he would receive a motion to transfer the 17 Negro pupils back to Negro schools.

The Supreme Court hears further arguments in the Little Rock case Sept. 11.

J. J. Brewbaker, Norfolk school superintendent, said it was possible the board might postpone the opening of schools a short time if it decides "such action would be advantageous."

The Norfolk School Board is under an injunction issued by two State Supreme Court justices which forbids it to assign any pupils to any of its schools, white or Negro. Under state law, all assignment power is vested in a three-member State Pupil Placement Board.

A state spokesman said, however, that since the Norfolk board told Judge Hoffman only that it "will" assign the Negro pupils, and has not yet formally assigned them, no action is possible at this time against the board for violation of the injunction.

Contemplating such action when it does make the assignments, the board told Judge Hoffman Friday it would petition him for protection. As a federal judge he can enjoin state courts from taking action against the board as an outgrowth of the injunction.

In Richmond, the State Pupil Placement Board said in a statement it has been given no information on Negro pupils who applied for admission to Norfolk's white schools. The board said it forwarded the Norfolk School Board 19,200 application forms on June 30 and "not a single application has been returned."

The board said it has received no reply from the school board to its offer of two days ago to assume sole responsibility for assigning Norfolk pupils, provided it received the necessary information.

The 17 Negroes who will gain assignment to white schools here applied for the city's three white high schools and three junior high schools. They were among 151 Negroes whose applications for white schools originally were rejected under a local assignment plan.

Sixteen of the 17 were turned down because their presence in white schools would cause racial tensions, or because of possible isolation among white schoolmates. The other child was rejected because he did not meet scholastic requirements for the eighth grade. A recheck showed he had applied for the seventh grade and his application then was approved.

Judge Hoffman told the board Monday that isolation and tensions were not valid grounds for rejecting applications. He told the board to reconsider all 151 Negro applications in the light of his instructions.

Sat 8-30-58

In the report read to Judge Hoffman today, the board chairman, Paul Schweitzer, said: "Contrary to what all of the members of the board and the division superintendent of schools honestly and sincerely believe is in the best interests of the applying children, the children in the affected schools and the public in general, but pursuant to the law as interpreted by the court and the duties required of the defendants, the board will assign the 17 Negroes to white schools."

Sat 8-30-58

Norfolk's estimated population is 290,000, about 25 per cent of it Negro. The city has 36 white schools and 20 Negro schools.

The board said the school population is about 66 per cent white. It is estimated that the state will provide 25 per cent of the operating budget for schools-in-the-next year.

Grant Delay In Virginia School Row

Chicago Def

NORFOLK, Va. — (UPI) — Federal Judge Walter E. Hoffman granted a 24-hour delay in acting on this city's school board rejection of Negro applicants to white schools.

But Hoffman, sitting on a case that directly involves Virginia's pupil placement tests emphasized that he plans to review all 151 of the rejected Negro applications before school opens Sept. 8.

He had been scheduled to review the first 23 of the applications by Negroes.

P. 3

He granted the brief delay at the request of the school board which said it needs time to study a motion by the NAACP asking Hoffman to review the school board's rejection of the applications.

Chicago Def

"I have a duty to perform and I'm going to perform it if I lose every friend I have," Hoffman said. "I am firmly convinced we will be here together from now on for the next week to 10 days."

Sat 8-30-58

Hoffman also remarked on the Court of Appeals reversal in St. Louis this week of the integration delay granted by the Circuit Court in the Little Rock case.

"It may be that the school board may wish to reflect further," as a result of the St. Louis decision, he said.

NORFOLK

17 NEGROES TO ENROLL

Fla. Times Union

School Showdown Looms in Virginia

Jacksonville, Fla

Sat. 8-30-58

By UNITED PRESS INTERNATIONAL

Virginia's school integration crisis drew closer to a showdown yesterday when the Norfolk School Board agreed to enroll 17 Negro students in six previously all-white schools.

The decision was reached despite a Virginia law that would close any racially integrated school.

P. 1

This marked the first time in Virginia history that a school board had approved integration of public schools. It also created the first direct conflict with state laws that would automatically close any integrated public schools.

More Time Asked

However, it appealed to Federal District Judge Walter E. Hoffman to put off the day of integration from Sept. 8, when schools are due to open, until Sept., 1959.

In Richmond, the State Pupil Placement Board said it "cannot voluntarily recognize as valid any assignment of any pupil in Virginia" unless the board makes the assignment.

The board repeated the sentiment contained in telegrams already sent to Norfolk and Charlottesville school boards that it "is prepared to act promptly in every case in which it has been properly supplied the necessary information to justify its actions under the pupil placement law of Virginia."

In Alexandria, twelve Negroes attempted to enroll in two white schools. They were turned away.

Lawyers for 26 of 30 Negroes attempting to enter white schools in Warren County (Va.) applied to U.S. District Judge John Paul for an injunction against the school board denying admission because of race.

The Supreme Court, meanwhile, delayed any decision on integration at Central High School in Little Rock, Ark., until Sept. 11.

Board Hopeful

Members of the Little Rock School Board expressed hope yesterday that the high court may grant their plea for a delay in mixing the races at Central High.

But government attorneys predicted the Supreme Court would order the immediate admission of seven Negro students to the school. They said the court scheduled full-scale hearings next month only to give the school board a chance to present its case.

Sat. 8-30-58

Solicitor General J. Lee Rankin, who represented the government at the court's hearing Thursday, said it is inconceivable that the high court will uphold Federal Judge Harry Lemley's order delaying integration at Central High 2½ years.

At the same time, there was considerable speculation in Little Rock that the school will open on Sept. 8—three days before the high court hearings.

However, the Arkansas Legislature seems determined to maintain segregation in Little Rock at any cost. The lawmakers adjourned yesterday after authorizing a probe of "Communist influence" in the National Assn. for the Advancement of Colored People.

Although the State Senate rejected the bill Thursday, the lawmakers appropriated $20,000 for the attorney general to investigate the state branch of the NAACP, which is pushing for school integration.

Hears Virginia's Case

New York Times

Walter Edward Hoffman

New York, N.Y.

Special to The New York Times.

NORFOLK, Va., Aug. 22—Federal Judge Walter Edward Hoffman, a Republican in a traditionally Democratic state, can honestly say that some of his best friends are Democrats.

Man in the News

However, he has said: "I have a duty to perform and I am going to perform that duty if I lose every last friend I've got." Before him for the second day today were complaints of fifty Negro pupils that they had been denied entry into previously all-white schools because of their race.

Sat. 8-23-58

The school board has refused the transfers under Virginia's Pupil Placement Law, openly designed to circumvent the United States Supreme Court's decision outlawing racial segregation in public schools.

P1/6C

Some time ago, in a hearing on the placement law, Judge Hoffman declared: "If I had to rule on it today, I would have to throw it out the window."

Such forthrightness has been typical of Mr. Hoffman through years as an athlete, football official, state Republican leader and, since 1954, as a Federal judge.

Knows Own Mind

"He knows his own mind and always says what he thinks," a friend has observed.

In his own party, leaders recall his chairmanship of the State Republican convention of 1952, when there was a split between supporters of General Eisenhower and the late Senator Robert A. Taft.

The fact that he was among the state's first Republican leaders to support General Eisenhower apparently did not affect his impartiality as convention chairman.

But his firmness in backing the general at the Chicago convention, where Virginia's delegation was divided, contributed to the Eisenhower nomination.

His politics, including unsuccessful races for Congress and state attorney general, have not noticeably hampered his relationships with the state's Democratic leaders.

Several city bar groups, including those of Richmond, Hampton and Norfolk-Portsmouth, urged his appointment to the Federal judgeship.

So did Senators Harry F. Byrd and A. Willis Robertson, both Democrats. In addition, he was for some years, until he became a judge, a law partner of a prominent Democrat, State Senator Edward L. Breeden.

He was born in Jersey City, N. J., fifty-one years ago. He played football at the University of Pennsylvania, where his six-foot, 200-pound frame earned him the nickname of "Beef."

After his graduation in 1928 with a Bachelor of Science in economics, he attended the law schools of William and Mary College and Washington and Lee, earning his degree in the latter institution in 1931.

His interest in athletics carried over into his years as a sucessful trial lawyer in Norfolk. Between 1931 and 1951 he officiated as an umpire in 112 college football games—generally, his friends say, with calm but forthright decisions.

He is married to the former Evelyn Watkins of Norfolk. They have two teen-age children, a girl and a boy, both public school pupils.

He has been active in club work, in the Community Chest and the Salvation Army.

His interest in religion led to an unusual beginning for his judgeship. As he stood in the large marble courtroom in Norfolk and took his oath as judge he asked his pastor to say a prayer.

"This procedure may be a bit unusual," Judge Hoffman said, "but it is never out of place."

Spectators bowed their heads as Dr. John A. McHenry, then pastor of Ghent Methodist Church, asked that God grant wisdom and understanding to the new judge.

Associated Press

Duty before friendship

NORFOLK TO ACT ON NEGRO PUPILS

New York Times

New York, N.Y.

Judge May Assign Rejected Students to White Schools —Court Hearings Slated

Wed. 8-20-58

Special to The New York Times.

NORFOLK, Va., Aug. 19—The stage appeared set here today for the assignment of specific Negro students to white Norfolk schools by Federal Judge Walter E. Hoffman.

P1

This possibility st[illegible] from the Norfolk Sch[illegible] refusal to a[illegible] of any one of 15[illegible] have applied [illegible] transfer to white schoo[illegible] the September term, [illegible] vious desegregation [illegible] dge Hoffman.

The [illegible] d, [illegible] surprise announce[illegible] la[illegible] night, said that none of the 151 Negro students, including eighty-eight who complied with the board's new pupil assignment plan, would be permitted to enroll in white schools. Shortly before this decision was announced, justices of the two state's supreme Court issued an injunction against the school board's assignment of any students under the new pu[illegible]

As a result of [illegible] ool board's action in re[illegible] all Negro applicants, the [illegible] assignment plan will be involved in two separate actions in Federal District Court here.

Judge Hoffman alre[illegible] has under advise[illegible] a suit brought against the assignment plan by twenty-one Negroes who have applied for admission to white city schools. Legal briefs on this issue are scheduled to be filed within two weeks.

The second action will involve the eighty-eight Negro applicants who complied with the terms of the pupil assignment plan but who were rejected by the school board. Before the board's decision, Judge Hoffman indicated he would begin hearing the complaints of rejected appli[illegible] as soon as possible. Court observers believe these hearings will begin tomorrow or Thursday.

In re[illegible]ting all 151 Negro applicants, the school board dismissed the sixty-three students who did not comply with the requirements of the assignment plan as having failed to qualify at all. Of the eighty-eight who did comply, taking required written examinations and participating in personal interviews, the board stated that sixty "were clearly unsuited for the assignments requested."

Most of these sixty, the board said, had failed to meet minimum scholastic requirements. In rejecting the remaining twenty-eight, the board cited various "cogent reasons," for denying admission to white schools. These reasons ranged from "racial conflicts" that have occurred in areas of the city to "the isolation which would be caused by such an assignment would be detrimental to educational progress."

The school board made its decision on the applications after the s[illegible] preme Court had e[illegible] the board from im[illegible] the assignment plan until Oct. 15. However, a member of the board said this action did not enter into the group's deliberations. The injunction would have had the effect of nullifying any assignment the board might have made, but would have had no effect whatever on any Federal ruling by Judge Hoffman on the matter.

The general effect of these legal tangles probably will result in the assignment of certain Negro students to specific white schools by Judge Hoffman.

Gov. J. Lindsay Almond Jr., recently stated that the state's school closing order will be implemented when a Negro student was permitted to enroll at a specific school and not when the student was physically present in the school.

14d(1) 1958 VIRGINIA NORFOLK

Norfolk School Board Accepts 17 Negroes

Judge Is Asked To Delay Entrance

Birmingham Herald
Birmingham, Ala.

BY UNITED PRESS INTERNATIONAL

The Norfolk, Va., school board agreed yesterday to enroll 17 Negro students in six previously white schools, despite a Virginia law that would automatically close any racially-integrated school.

Sat. 8-30-58

In a dramatic, six-page report to U. S. District Judge Walter E. Hoffman, the board said the Negroes were acceptable for admission for the current term beginning Sept. 8.

P1

Hoffman was then asked to defer the enrollments until the 1959 term, but he indicated he would deny the request to delay integration of the schools.

School Board Attorney W. R. C. Cocke, in the motion to defer integration until 1959, said the people of Norfolk, school officials, parents and students were "wholely unprepared" to cope with integration this Fall.

It marked the first time in Virginia history that a school board had approved integration of public schools.

The Supreme Court, delayed any decision on integration at Central High School in Little Rock, until Sept. 11.

Members of the Little Rock School Board expressed hope yesterday that the high court may grant their plea for a delay in mixing the races at Central High.

But government attorneys predicted the Supreme Court would order the immediate admission of seven Negro students to the school. They said the court scheduled full-scale hearings next month only to give the school board a chance to present its case.

Solicitor General J. Lee Rankin, who represented the government at the court's hearing Thursday, said it was inconceivable that the high court would uphold Federal Judge Harry Lemley's order delaying integration at Central High for 2½ years.

At the same time, there was considerable speculation in Little Rock that the school would open on Sept. 8—three days before the high court hearings.

However, the Arkansas Legislature seemed determined to maintain segregation in Little Rock at any cost. The lawmakers adjourned yesterday after authorizing a probe of "Communist influence" in the National Assn. for the Advancement of Colored People.

Faubus told reporters he had received scores of letters and telegrams from across the nation reacting to his close-the-schools program.

He said: "I face this with dread. I wish this were a situation that prayer could solve."

REVEALS DECISION — Paul G. Sweitzer (left) chairman of the Norfolk, Va., school board is shown as he revealed to a reporter that the system would enroll 17 Negroes in six white schools. (UPI Telephoto).

Judge Refuses Norfolk Schools Integration Stay

By The Associated Press

The Norfolk, Va. school board's plea for a delay in school integration until next year was turned down Wednesday by a U.S. district judge.

But Judge Walter E. Hoffman said he may reconsider if the U.S. Supreme Court grants Little Rock, Ark., a 2½-year delay in school mixing or grants a review of the case. In that event, he said, he would entertain a motion to retransfer 17 Negro children the Norfolk School Board planned to assign to white schools.

Constitution
P1

The Supreme Court will hear arguments on the Little Rock case Sept. 11.

6 NEGROES

Atlanta, Ga.

In another Virginia case, a federal judge was told the applications of six Negroes to attend a white school in Arlington County was turned down because of low achievement.

Thurs. 9-4-58

Dr. Barnard Joy, school board member, told U.S. Dist. Judge Albert V. Bryan that was the reason for rejecting the six. He testified Wednesday at a hearing in Alexandria to determine whether 30 Negroes must be admitted to various white schools in the county, across the river from Washington, D.C.

The Arlington County School Board advised teachers that school openings, already postponed from Thursday to Monday, may be further delayed.

LIMITED MIXING

Limited mixing of the races proceeded in a number of Southern states. A demonstration occurred at Greensboro, N.C., where a small group displaying a Ku Klux Klan banner and a Confederate flag, gathered in front of the Gillespie Park School. When five Negro children arrived a white man carrying a KKK banner followed them a few steps and a bystander heckled them. But the five attended the brief opening session without trouble. Three of the five attended the school last year.

Fears that Negroes would attempt to enroll at a Birmingham, Ala., high school touched off a demonstration. One student was hit in the head with a brick, a policeman was slugged and three men were arrested. All were white.

The fears were groundless because no Negroes attempted to register at any white school as they did at Phillips High School, scene of the disturbance last September.

Constitution

Police dispersed the crowd of 150 white men and teen-aged youths after about four hours of milling around. The demonstrators chased away several Negro pedestrians passing through the area.

Thurs.
9-4-58

Constitution
Thurs. 9-4-58

Associated Press Wirephoto

ORDERS ACCEPTANCE

Judge Bryan, in Alexandria

The Rev. F. L. Shuttlesworth, Negro integration leader who is pressing a school integration suit, said no attempt would be made to register Negroes in white schools while the case is pending before the U.S. Supreme Court.

The federal government was reported recruiting deputy U.S. marshals in Arkansas for possible use at Central High School if it is reopened on an integrated basis. Reports of the recruiting came from Batesville, Jonesboro, Conway and Damascus.

The Jonesboro Sun interviewed one of the applicants and quoted him as saying, "There was no doubt what I was signing up for—it is for duty at Central High in case it reopens." The applicant said he was told if the school is closed by Gov. Orval E. Faubus the deputies probably would not be needed.

At Van Buren, on the Arkansas River near the Oklahoma border, six of the 13 Negro students at Van Buren High School announced plans to transfer to all - Negro schools after a second day of harassment. They were greeted on the first day of classes by signs which read "Go Home, Nigger," and Wednesday they reported threats, shoving and rock-throwing.

In Charlotte, N.C., two of four Negroes who attended white classes last year entered Wednesday without last year's minor demonstrations. One of the others who attended last year was reassigned to a Negro school when the white school was abandoned and the other quit after being harrassed by students.

It was just another school day in Kentucky on the second day of classes with four high schools integrating for the first time. Twenty Negroes were enrolled at white schools in Fulton. In Nelson, a total of 20 Negroes entered three high schools. Kentucky previously had placed about one-fourth of approximately 40,000 Negroes in mixed classes in 94 of the 215 school districts.

Ruling Due Monday On Norfolk Schools

Board Will Get Instruction on Transfers

By MARY LOU WERNER
Star Staff Writer

Star
PA 21
Washington D.C.
Fri. 8-22-58

NORFOLK, Va., Aug. 22.—Federal Judge Walter Hoffman expects to let the Norfolk School Board know on Monday what reasons he considers valid for denying Negro students admission to white schools.

It then will be up to the school board to reconsider any Negro transfer applications which were denied on grounds unacceptable to the court, he said from the bench yesterday.

Hearings resumed today on the appeal by Negro students to overturn the school board's refusal to assign any of them to white schools.

"I don't know if any judge has taken this procedure, but I'm going to take it," said Judge Hoffman as he made it clear for the second day in succession that he did not intend to tell the school board which students must be assigned to which schools.

"I would not suggest to them that they accept or reject any applications," he continued. "But I feel that after they have been instructed in the principles of law they can reconsider."

Four Cases Heard

The judge's pronouncement came at the end of a day-long hearing at which the rejected transfer applications of four Negro students were considered. All four students would have been put in the schools where they applied had they been white, school officials acknowledged.

The four are among 54 Negro applicants who are challenging the school board refusal to assign them to white schools. All 151 Negro transfer applications received here were turned down on Monday by the school board, which is under orders to desegregate its public schools this fall.

Racial tension and its adverse affect on education were the reasons given for rejecting the four Negro applications reviewed at yesterday's hearing.

The school board said other applications were turned down because of scholastic shortcoming, expected isolation of Negro students in predominantly white schools and too much shifting around in one neighborhood where a new school is planned next year.

Little Rock Cited

"I am appreciative of the fact that the school board may have given careful consideration to Judge Lemley's decision, and may have reached the conclusion it was sound," said Judge Hoffman, referring to the ruling in which Judge Harry J. Lemley granted the Little Rock school board a two-and-a-half-year integration delay.

"That decision now has been reversed. Therefore, if the school board is to make these assignments, it would seem to me, that, similar to a jury charge, I should instruct the school board as to my version of the law in accordance to their duties.

"To do that, I would have to order reconsideration of certain applications, if I reached the conclusion the school board may have taken erroneous action."

At an earlier hearing, he had warned that the school board would be in contempt if it flagrantly violated his 1957 desegregation order. He tempered the warning yesterday, saying that he thought it would be improper at this stage to punish the board for contempt.

"They're not lawyers — they can't be expected to fathom all the laws involved," said Judge Hoffman. "I think they have a right to say to the man who has the power to cite them for contempt to give them guidance."

Validity Doubted

He indicated he thought scholastic shortcomings might be a valid reason for rejecting applications, but implied a doubt about taking racial tension into consideration.

"You feel, and I may well feel from a educational standpoint, it is bound to be harmful to the child, to the school or to the school system in the present climate in the South to enter a Negro child in a white school," said Judge Hoffman to J. J. Brewbaker, Norfolk school superientendent. "If that is the case, what is left of the Supreme Court decision?"

"I think we can still do more to prepare the way—I think we could work to create a different climate," the superintendent replied.

Mr. Brewbaker recalled that he once suggested gradual desegregatin, beginning with the first grade.

Chairman's Experience

Chairman Paul Schweitzer told the court he was as much responsible as anyone for the schools board's refusal to grant any of the Negro applications.

Mr. Schweitzer explained that he and his sister were the only white children among Mexican students in an Arizona school.

Star

"I have been on that island of isolation—I was a gringo and I was subject to that isolation," he added.

"It would be nice if any child here who did transfer could do as well as you in life," observed Judge Hoffman. Mr. Schweitzer is president of a well-drilling firm.

Fri. 8-22-58

"If we follow that line of thinking we never would have desegregation, would we" said Oliver W. Hill, one of the attorneys representing the Negro applicants.

"I don't know of the future, but I know what the condition is today," replied Mr. Schweitzer.

Adult Education

Judge Hoffman asked Mr. Schweitzer if the school board advocated any adult education "on this crucial problem."

Mr. Schweitzer said he believed the court realized the difficulties involved in such an idea.

E. L. Lamberth, assistant superintendent, was asked by Judge Hoffman if he could foresee any time when it would be in the best interests of a Negro child to go to a white school.

"That would depend upon Norfolk. Our duty is to educate. The schools belong to the people. The people of Norfolk would have to answer that," said Mr. Lamberth.

"Suppose no one ever came forward to start that very important and fine program of adult education—do you think a child should be denied its constitutional right waiting for someone to come forward?" the judge inquired.

He also asked Mr. Lamberth why the school board went to the trouble of testing and interviewing Negro applicants if it was felt the climate was not ripe to make any integrated assignments.

Mr. Lamberth said the assignments were not decided in advance.

Norfolk gets integration instructions

Birmingham
News

BY HARRY NASH

Birmingham, Ala.

NORFOLK, Va., Aug. 25 —(AP)— A federal district judge today returned to the Norfolk school board for further consideration the applications of all 151 Negroes who sought admission to white schools.

Mon. 8-25-58

Judge Walter E. Hoffman referred the applications back to the board "for such further consideration, if any, as you may deem proper and legal" by reason of his interpretation of the board's duties as related to principles of law.

He instructed the board to report the results of its "actions, if any," Aug. 29. Norfolk schools reopen Sept. 8.

P. 1

THE SCHOOL BOARD decision is due one day after a special Supreme Court session called today, to consider the Little Rock, Ark., segregation case. Judge Hoffman has said he would not order desegregation of Norfolk schools if the Supreme Court upholds a District Court's two-and one-half year delay—since overturned by the U. S. Circuit Court—in Little Rock.

Hoffman told the board it may not consider the possibility of racial tensions or isolation of a Negro child in a predominantly white school as "a sole legal excuse for denying an otherwise qualified Negro child admittance into a previously all - white school."

THE JUDGE instructed the board it is not required to admit a Negro child whose scholastic qualifications have been determined by tests and interviews to be insufficient.

Hoffman said the board would not be required to reconsider the applications of these 26 Negroes and also of those 63 who did not take the tests.

The board may defer enrollment of a Negro applicant for one year if the board is certain enrollment now would necessitate unnecessary transfers.

Hoffman told the board it is not required to admit, though it may do so in its discretion, any Negro to a previously all-white school who resides nearer a Negro school attended by the child during the prior school year.

14d(1) 1958 VIRGINIA NORFOLK

Norfolk's Integration Record Can Be Highly Instructive

Courier-Journal
Louisville, Ky.
Sept 8-30-58
P. 6

NORFOLK in September, its school board decided yesterday, will comply with federal court orders to begin some measure of public school integration. Eighteen of 151 Negro applicants will be admitted to what have been white schools on September 8—unless the court grants an unexpected delay.

This is the first time that any Virginia school board has taken such action. In its own showdown between conflicting state and federal court orders, the Norfolk board deferred to the federal court—and asked its "protection" against state injunctions designed to insure the board's inaction.

With the Little Rock case suspended in mid-air, Virginia thus will face first the definitive showdown in the state-federal conflict posed by its program of "massive resistance" to the Supreme Court's desegregation ruling. Under state laws Governor ALMOND can close down the schools marked for integration. He can then return the closed schools, if he chooses, to local control. Norfolk can then operate them as integrated schools—but at the cost of all state monetary support.

September will tell.

Between now and then, it could be instructive for other communities in Virginia and the South to note that the Norfolk school board has now come full circle in a muddled story that began with the Supreme Court's ruling in 1954.

Then the board announced that "we intend, without mental reservations, to uphold and abide by the laws of the land."

That statement was not unlike those of some of Virginia's top political leaders at the time. But then Senator BYRD proclaimed the policy of "massive resistance" to integration.

Norfolk's legislative delegation led the fight against this in Richmond, arguing that each community should have the right to work out its own solution to the problem of integration. But it lost. Virginia, in the name of states' rights, took away the past autonomy of local school boards and vested it in Richmond.

The Norfolk board then offered legal opposition to integration attempts as long as it could. In early August it took note of the "precarious predicament" into which the state-federal conflict had put it, but said "the federal court order . . . will be obeyed." Then it took heart from developments elsewhere and, under the state's pupil placement act, rejected the applications of every one of the 151 Negroes seeking transfers to white schools.

In a notable series of sympathetic but firm comments, *The Norfolk Virginian-Pilot* reminded the board that it "was failing its own tests" and cited, on one relevant point as the case advanced, the Supreme Court's declaration that opposition or the fear of it could not vitiate the validity of constitutional principles or court orders. And when Judge HOFFMAN finally rejected the last of the "legal" dodges, the board accepted what *The Virginian-Pilot* termed "the plain and yet friendly and sympathetic statement that the court can accept only some evidence of the start toward compliance which the Supreme Court said was the first requirement."

Judge HOFFMAN said that he would reconsider his order should the Supreme Court grant a delay in the Little Rock case. But speculators on the outcome of that case cannot fail to note his recorded belief that should the Supreme Court grant a stay, "it would . . . completely and effectively . . . destroy the effective compliance" it ordered in 1954.

Norfolk to Test School Closing

NAACP Challenge Is Indicated If Negroes' Entry Shuts Classes

Star
Sept. 8-30-58
P. A 16
Washington,

By MARY LOU WERNER
Star Staff Writer

NORFOLK, Va., Aug. 30.—A direct attack on Virginia's school-closing laws was indicated today after announcement that 17 Negro students will be enrolled in white classes for the fall term due to begin September 8.

Attorneys for the National Association for the Advancement of Colored People, who represent students involved in the Norfolk case, said they would "not stand idly by" while schools are closed to avoid integration.

They would not predict, however, at what point action would be taken to challenge the State's school closing statutes—before schools actually shut down or afterwards.

The Norfolk School Board, in obedience to court instructions, yesterday advised Federal Judge Walter Hoffman that 17 Negro students will be enrolled in six white schools for the 1958-9 school year.

State law requires the automatic closing of any school where integration takes place.

Injunction in Way

City Attorney Leonard Davis said the enrollments would be made as soon as the necessary steps can be taken to dispose of a State court injunction forbidding any student assignments by the school board. He later said it was a "distinct possibility" the opening date of the fall term would be put off.

The injunction was obtained by white parents who contend only the State Pupil Placement Board has authority to assign students in Virginia.

Judge Hoffman observed that he previously held the placement law "unconstitutional on its face" and said his ruling was binding in Norfolk, and also in Newport News where eight Negro students have applied to enter white schools.

Judge Hoffman told the school board he would take appropriate action regarding the State court injunction when he receives a proper petition from the school board. Mr. Davis said he expected to present a petition to the court early next week for disposition of the injunction.

151 Negroes Apply

The school board told Judge Hoffman it was making the integrated assignments "pursuant to the law as interpreted by the court." The board's statement, read before a packed but quiet courtroom by Chairman Paul Schweitzer, also said the entire board and superintendent believed the assignments were contrary to the best interests of the applicants, children in the affected schools and the public in general.

Altogether, 151 Negro students had applied for enrollment in Norfolk white schools this year. When the school board first considered the applications, all were rejected.

Rejected applicants challenged the board's action. Judge Hoffman sent all 151 applications back to the board for reconsderation, with instructions that the court would not accept racial tension or student isolation as valid reasons for refusing to enroll Negro students in white schools. Judge Hoffman was emphatic that he did not intend to make any assignments, and made it clear that he would proceed with contempt action against the school board if it "flagrantly" violated his 1957 desegregation order.

Others Rejected Again

The 17 students which the board yesterday agreed to enroll in white classes had been turned down the first time on the grounds Judge Hoffman said were unacceptable.

The board yesterday said it was rejecting again all the other applications for reasons previously stated. Most are being rejected because they failed to take scholastic achievement tests or because they took the tests and failed to measure up to achievement levels. Still pending in court is a petition by students who boycotted the tests asking that the entire local assignment plan be invalidated.

The six schools where the 17 Negro students will be enrolled include all three of the city's white high schools, and three of the city's four white junior high schools.

Year's Delay Asked

The school board filed a motion asking a year's delay in the enrollments. If the motion is denied, the city would be in a position to appeal the denial —but that still would leave the assignments intact. Judge Hoffman gave no indication of passing on the motion before schools are due to open. He still has further arguments to hear on one facet of the case involving school boundary lines around Norview Elementary.

Mr. Davis said he believed the city also could appeal Judge Hoffman's interpretation of the law. A number of exceptions to Judge Hoffman's interpretations were filed by the school board yesterday.

Judge Hoffman in February, 1957, issued the original order directing Norfolk to proceed with desegregation. Appeals delayed the order taking effect until the following October. Schools already had started for the year, so this September is the first school term bound by the order. The first specific applications from Negro students asking enrollment in white schools began coming in during the summer.

Report On The Schools—

Integration Delay Is Denied Norfolk Board

NORFOLK, Va. (UPI)—A federal judge Wednesday denied a School Board motion to defer the enrollment of 17 Negroes in six white schools for one year.

In Charlotte, N. C., a Negro brother and sister, Gus and Girvaud Roberts, entered otherwise white schools without incident except for a fire-cracker burst that apparently was a prank. They were the only holdovers from last year's integration in Charlotte, which drew the line at further Negro enrollment in white schools.

Atlanta

In Alexandria, Va., attorneys for the National Association for the Advancement of Colored People attempted to show a U. S. District Court that 30 Negroes were rejected from Arlington County schools in the Washington, D. C., suburban area solely because of race. The NAACP sought an order for the students' immediate admission.

In Little Rock, Ark., showdown suspended by postponement of school opening until Sept. 15 after Supreme Court rules on integration stay. Gov. Orval Faubus has promised to oppose any integration order by peaceful means.

Journal
9-4-58

In Fulton, Ky., nineteen Negroes attended Fulton High School far first time with 162 white pupils under orders of the U. S. District Court at Paducah. Integration also started for first time at Bardstown and at two high schools in Nelso County.

In Gulfport, Miss., a citizens auxiliary police was formed to assist regular police officers if a Negro minister, Clennon King, carried out plans to enroll his six-year-old daughter in a white school. King, who personally tried to enter the University of Mississippi several months ago, has been conferring with the NAACP in New York. His whereabouts was not certain.

A handful of whites waving Ku Klux Klan banners hooted at five Negro children who entered classrooms with hundreds of whites in Greensboro. Police kept a careful eye but there was no violence.

The Rev. George Dorsett, who said he was the chaplain of the local Klan, vowed to "do something about this in the next few days."

"We're sizing up the situation, we have more people," Dorsett said. He said his group did not plan to demonstrate in Winston - Salem, where the second year of integration begins Thursday.

Two other Negroes who were integrated in Greensboro last year, Jimmy and Brenda Florence, were reassigned at their parents' request to Negro schools at the last moment.

At Van Bureon, on the Arkansas River near the Oklahoma border, white pupils and signs reading "Go Home Niggers" greeted Negro students entering an integrated school. Police circled the school grounds to prevent incidents.

Norfolk Board Will Enroll 17 Negroes

Talladega Home
Talladega, Ala.
Fri. 8-29-58

NORFOLK, Va. (AP) — The Norfolk School Board, complying with an 18-month-old federal court order to end racial segregation in the public schools, announced today it will enroll 17 Negroes in white schools.

The board reported its action to Federal District Judge Walter E. Hoffman after three days spent in reconsidering previously rejected applications of 151 Negroes for admission to white schools.

P. 1

Under Virginia's program of Massive resistance to school integration, a school that is integrated is automatically closed.

Gov. J. Lindsay Almond Jr. was not immediately available for comment on today's devleopments.

The board said the 17 children will be enrolled for the school year beginning Sept. 8.

It said it took th action contrary to what all of the members of the school board and the division superintendent of schools honestly and sincerely believe is in the best interests of the applying children, the children in the affected schools and the public in general, but pursuant to the law as interpreted by the court.

The 17 children to be enrolled had previously been rejected for admission to white schools on the grounds that their presence there would cause racial tensions and isolation of Negroes among their schoolmates.

The school board told Hoffman that after reconsidering the other 134 Negroe applicants it had decided not to enroll them.

The school board attorney, W. R. C. Cocke, immediately after the board's report was read in court by Chairman Paul Schweitzer, told Hoffman a motion will be filed asking the court to delay or defer enrollment of the 17 Negroes until September, 1959.

Norfolk, Va., To Integrate Its Schools

Courier-Journal
Louisville, Ky.
Sat. 8-30-58
P. 1

But Court Asked To Approve Year's Delay

By The Associated Press

Norfolk, Va., Aug. 29. — The Norfolk City School Board yielded to the pressure of a Federal Court desegregation order Friday and announced that it will assign 17 Negro children to white schools.

However, it appealed to Federal District Judge Walter E. Hoffman to put off the day of integration from September 8, when schools are due to open, until September, 1959.

Enrollment of Negro children in white schools, even on paper, would automatically close these schools under Virginia's no-integration laws. Still another law would cut off State funds to the affected schools.

Governor on Vacation

The School Board said admission of the 17 Negroes this year would "unduly interfere with the proper administration of the schools affected." It argued in a motion that a year's delay is needed to prepare residents of this port city and school officials for "profound changes."

This is the first time a school board in Virginia has said it would assign Negroes to white schools. A federal judge has directed the admission of Negroes to white Arlington County schools and that locality also faces the prospect of closed schools next month.

Stories telling of the concern of Virginians and the adjournment of the Arkansas Legislature are on Page 2.

Governor J. Lindsay Almond, Jr., was vacationing and unavailable for comment.

Rejection Is Implied

Hoffman implied that he would reject the request for a delay unless the United States Supreme Court permits a 2½-year delay in integration at Little Rock. Such a ruling, Hoffman said, "undoubtedly would put a different complexion on this case." And he remarked: "We apparently are living on a day-to-day basis in this matter."

The Supreme Court hears further arguments in the Little Rock case September 11.

J. J. Brewbaker, Norfolk school superintendent, said it was possible the School Board might postpone the opening of schools a short time if it decides such action would be advantageous."

Under State Injunction

The Norfolk School Board is under an injunction issued by two State Supreme Court justices forbidding it to assign any pupils to any of its schools, white or Negro. Under State law, all assignment power is vested in a three-member State Pupil Placement Board.

In Richmond, the State Pupil Placement Board said it "cannot voluntarily recognize as valid any assignment of any pupil in Virginia" unless the board makes the assignment.

The board repeated the sentiment contained in telegrams sent Wednesday to the Norfolk and Charlottesville school boards that it "is prepared to act promptly in every case in which it has been properly supplied the necessary information to justify its actions under the Pupil Placement Law of Virginia."

Both Norfolk and Charlottesville are under Federal Court orders to desegregate schools next month. And both have set up local pupil-assignment plans in ana ttempt to work their way out of the quandary produced by conflicting Federal Court orders and State law.

May Enter Legal Fight

The board's comment seemed to leave open the possibility the board might yet get into the legal battle over desegregation in the two localities.

Journal
Sat 8-30-58

The 17 Negroes who will gain assignment to white schools here applied for admission to the City's three white high schools and three white junior high schools. They were among 151 Negroes whose applications for white schools originally were rejected under a local assignment plan.

Of the 17 sixteen were turned down because their presence in white schools would cause racial tensions, or because of possible isolation among white schoolmates. The 17th child was rejected because he did not meet scholastic requirements for the eighth grade. A recheck showed he had applied for the seventh grade and his application then was approved.

Hoffman told the School Board Monday isolation and tensions were not valid grounds for rejecting applications. He told the board to reconsider all 151 Negro applications in the light of his instructions.

Population 25 Pct. Negro

In the report read to Hoffman Friday, School Board Chairman Paul Schweitzer said:

"Contrary to what all of the members of the School Board and the division superintendent of schools honestly and sincerely believe is in the best interests of the applying children, the children in the affected schools and the public in general, but pursuant to the law as interpreted by the court and the duties required of the defendants . . . the board will assign the 17 Negroes to white schools."

Norfolk's estimated population is 290,000, about 25 per cent of it Negro. The City has 36 white schols and 20 Negro schools.

The School Board said the school population is about 66 per cent white. It is estimated that the State will provide 25 per cent of the operating budget for schools in the next year.

14d(1) 1958

VIRGINIA

NORFOLK

Excerpts From U. S. Judge's Statement on Norfolk's Rejection of Negro Transfers

New York, N.Y.

Special to The New York Times.

NORFOLK, Va., Aug. 25—Following are excerpts from a statement on a Negro integration suit made to the Norfolk School Board today by Federal Judge Walter E. Hoffman:

I have asked that you meet with me today in an effort to clarify certain matters which relate to the proceedings now before this court. My remarks, while directed primarily to you as the governing body of the school system, apply equally as well to the superintendent, assistant superintendents, clerical assistants and anyone connected with admitting, enrolling or educating children in the public school system of the City of Norfolk. The reason for this is that the injunction order of this court entered on Feb. 26, 1957, is effective, not only as to you and your able superintendent, Mr. Brewbaker, but also as to your successors in office, agents, representatives, servants and employes. My comments, other than when referring to language used by the various courts, will not contain any legal terms incapable of being readily understood.

New York Times

As school children are not admitted to public schools as a group, but must be considered individually, the Negro children seeking transfers to another school were directed to file applications with you. It is my understanding that 151 applications were filed, all of which were denied by your action of Aug. 18, 1958.

Sept. 26-58

Test-Taking Upheld

On July 17, 1958, you adopted a resolution setting forth certain standards and criteria governing your consideration of the applications as well as a procedure to be followed by the applicants relating to the taking of tests. While certain plaintiffs and attempted intervenors now of this resolution, together with the standards, criteria and procedure, it is not essential that I discuss this phase of the case at this time. For the purpose of further deliberations, you may assume that those children who failed to take the tests, or submit to personal interviews, may, in your discretion, be denied admission to the school requested by them. This is not to say that you cannot, in your judgment, admit one or more of these applicants, and I do not suggest to you that you should, or should not, admit any particular applicant.

P/C

As the Supreme Court has indicated, this is your primary responsibility and, whlie I do not doubt the authority of this court to admit a child under certain circumstances, to commence such a practice would establish a precedent which may result in school boards, particularly in the South, dening all applications, thus requiring district courts to act.

'A Thankless Task'

You have undoubtedly observed from the foregoing history of the case that you, as members of the School Board, and I, as District Judge, have an equal responsibility to fulfil. To say that its is a difficult one is indeed and understatement. You and Superintendent Brewbaker, as well as others in the educational family, have a thankless task. If you faithfully perform the duties of your office, you will only be recompensed by the knowledge that you, as public officers serving without hope of financial reward, have recognized your duty to support the Constitution of the United States, and to respect the laws and courts of our Government, irrespective of your personal convictions relating to the wisdom of admitting Negro children into previously all-white schools and vice versa.

Good Faith Versus Good Faith Compliance

It is because am firmly convinced that you have heretofore acted in good faith from an educational viewpoint that I am now referring back to you for further consideration all of the applications filed by the children involved. With the exception of one of your members, no attorney is serving on the school board. Regrettably the attorney member is now confined to the hospital and will be unable to assist you in further deliberations prior to the commencement of the school term. If the court was not convinced that you had acted in what you sincerely believed was in good faith up until this date, the court would be obliged to take other appropriate action.

Apparently, however, the Supreme Court did not intend that the "good faith" to be exercised by school authorities should be confined solely to what you honestly and sincerely may believe is for the best interest of the child the children in the affected school and the public in general. Inexplicable though this may be, it is significant that your duties require a balancing of the public and private needs. In this connection, while there is a sharp conflict of opinion on the subject, the Supreme Court has accepted the theory that "segregation with the sanction of law, therefore, has a tendency to retard the educational and mental development of Negro children and to deprive them of some of the benefits they would receive in a racially integrated school system. "In your capacity as members of the school board, you are representatives of all citizens of this city, without regard to race or color. The private interests of the Negro child should properly be considered by you in adjusting the public and private needs. You have not sought the advice or suggestions of Negro educators in your school system for the reason that the situation may prove "embarrassing", although your superintendent indicated that your Negro educators were as fully qualified (and in many instances more qualified) than your educators who are of the white race. Embarrassing though it may be to either you, the Negro educators, or both, you have a grave problem to consider. It is not, however, my function to dictate to you what administrative steps you should take in familiarizing your selves with the details of this problem in adjusting the public and private needs. Such action is essentially within your province.

'Good Faith'

You will observe that the Supreme Court, in applying the term "good faith," has not confined these words to what we, in every day language, construe it to be. A critical analysis of the second Brown opinion will reveal that the words "good faith" appear therein on two occasions. The first time it is said that courts will have to consider whether the action of the school authorities constitutes "good faith implementation of the govering constitutional principles." Next, it is said that once a prompt and reasonable start toward full compliance with the prior Brown ruling has been made, the courts may determine that additional time is necessary to carry out the ruling, but the burden rests upon the school authorities to prove the necessity of additional time in the public interest, and the proof must be consistent "with good faith compliance at the earliest practicable date." At no time has the Supreme Court used the words "good faith" as we would ordinarily interpret the same. And, you will observe, the granting of additional time presupposes that a prompt and reasonable start toward full compliance has been made.

The question of "good faith" has been the subject of varying interpretations by able and experienced jurists whose opinions I hold in greatest respect. However, it should be noted that the appellate courts have leaned to the view expressed herein and, as you well know, in the faithful performance of my duties as required by the oath of my office, I am bound to give greater weight to the decisions of these higher courts, irrespective of my personal views as to the correctness of these rulings.

As jurists have obviously disagreed with respect to the proper construction of the Brown case, as well as other decisions of the courts, it can hardly be expected that you unfamiliar as you must be with the legal principles

should be subjected to further appropriate action by any court until you have had sufficient opportunity to weigh the questions presented in light of the law as interpreted by this court. While counsel for all parties have concurred that it is appropriate for me to make remarks to you at this time, neither side has agreed that my legal conclusions are correct—in fact, counsel have not been given advance information as to the contents of this statement. Upon what action you finally take, either side may appeal from my remarks and thereafter other courts, far more experienced and qualified to act, will then review my conclusions.

Closing of Schools

I am not unmindful of the fact that you must have considered these applications with full knowledge that any previously all-white school to which a Negro child may be enrolled is automatically closed under the laws of the State of Virginia. The wisdom of legality of such laws is not before this court for determination in this proceeding. It is sufficient to state that the United States Court of Appeals for the Fourth Circuit (which includes the State of Virginia) recently said in case arising in Virginia:

"The fact that the schools might be closed if the order were enforced is no reason for not enforcing it. A person may not be denied enforcement of right to which he is entitled under the Constitution of the United States because of action taken or threatened in defiance of such rights."

By reason of the foregoing legal pronouncement, you are told that, in considering the applications for transfer for admission, you should disregard the fact that a particular school may be closed by operation of Virginia law, and this is true even though there may be only one child qualified to enter such school.

Unsual Procedure Adopted by This Court

I know of no precedent for the procedure adopted by this court in referring the applications back to you for further consideration, but we have embarked upon field or new and strange interpretation of the law and, in the interest of equity and fairness to you shouldetaointntntntn: to you, it is my considered opinion that you should be granted this privilege by the one who may ultimately be required to determine whether or not you have complied with the decree of this court, specifically approved by one appellate court, and tactly approved by the highest court court of the land. Because I believe that the good faith exercised by you to date has been in the light of what you have considered as sound educational principles only, and without proper regard to the law of the land as constructed by the United States Supreme Court, it is only simple justice that you should receive my views on your reasons for declining the 151 applications of the Negro children. I shall no require you ıdat-sUDi s-'o tttwS- fS t to admit any specific child.

The consequences of your further action should rest with your own conscience consistent with your duty to adhere to the principles of law which $ have stated and will state. I do not mean to infer that I shall shirk my duty if, after considering this lengthy statement, you continue to rest upon your prior action. On the other hand, if you admit one or more Negro children into previously all-white schools, it is my sincere hope that you will do so by stating that the admission is granted "pursuant to law." You may consider it compulsion, direct or otherwise, but it is not compulsion by the judge of this court as an individual it is merely adherence to the law of the land.

All Sent Back to Board

While I am referring all applications back to you, you are not required to take action granting or denying admission in all cases. An order has been entered fixing Wednesday, Aug. 27, 1958, at 10 A. M., as the last date for the allegedly aggrieved children to file appropriate objections to your prior action in denying the applications. It is possible that some of the children, and their parents or guardians, may be willing to abide by your former action, but as I am unable to anticipate how many additional objections will be filed prior to the deadline fixed by the court, it is suggested that you now review all applications in order that you will be enabled to act promptly when any objection is interposed to your previous action. You may, of course, grant any application in your discretion even though no objection has been filed. The court will assume that, with respect to such applications as may not be granted after reconsideration by you, you are adhering to your prior action taken on Aug. 18, 1958.

Geographical Limitations

You are not required to admit, although you may do so in your discretion, any otherwise qualified Negro child to a previously all-white school who resides in a home nearer to the previously all-Negro school attended by said child during the prior scohol year, conditioned, however, on certain statements hereinafter made. In determining which school is closer, you may consider transportation facilities available or contemplated in the immediate future, as well as the automobile mileage from the home to the several schools in question, together with the dangers attendant upon young children required to cross heavily traveled highways not customarily attended by traffic police. You may, however, determine that even though a Negro child resides in closer proximity to the school attended solely or predominantly by Negroes, the transportation facilities available or contemplated in the immediate future are such that it would be manifestly unfair to the otherwise qualified Negro child to require hi mto attend what I have eferred to as the Negro school.

Racial Tension

Considerable evidence has been introduced to the effect that, if otherwise qualified Negro children are admitted to Norview High School, Norview Junior High School, or Norview Elementary School, the racial tension existing in these areas is such that an appropriate assignment would endanger the safety of the pupil, as well as those already enrolled in the school. It would, according to your statement, interfere with the proper administration of the school and the proper instruction of the white children already enrolled there. You state that such racial tension would create many problems in making a social and emotional adjustment, and that the differences in the cultural backgrounds are such that the applicant would be handicapped. It was for the best interest of these applicants, the school and the public, that you denied certain requests from otherwise qualified Negro children.

The foregoing syllogism affords another cogent reason why the applications should be sent back to you for further consideration. You denied these 151 applications of Negro children on the same day that the case of Aaron v. Cooper was decided by the United States Court of Appeals fro the Eighth Circuit, but you did not have knowledge of the action of that court at the time you made your determination on the merits of each application. The case referred to concerned the correctness of the celebrated decision rendered by District Judge Harry J Lemley from the western district of Arkansas. Judge Lemley's decision was reversed by a 6 to 1 opinion with Chief Judge Gardner dissenting. Pending action by the appellate court aforesaid, it is only reasonable to state that you, as educators and businessmen, had the right to assume that the lower court's conclusions were correct. This court observes that your reasoning applied in denying otherwise qualified Negro children admittance to the Norview schools is substantially in line with Judge Lemley's opinion. The Court of Appeals disagreed with these views and held, in substance, that evidence of racial tension of racial violence is legally insufficient to postpone compliance with court decree entered in line with the Brown decision.

On last Friday night, this court heard arguments of counsel, including those of the Attorney General and the Assistant Attorney General of Virginia, for three hours on this and other related questions. The court is grateful to counsel for their views expressed and, as an added word, it is a feeling of extreme satisfaction that, after a week long trial, it may be said without fear of contradiction that there has been a total absence of racial tension in the courtroom. Likewise, the evidence adduced last week does not affirmatively suggest that there will be acts of racial violence, as contrasted with racial tension in the schools, which would disrupt the operation of the schools if they are permitted to open.

Assuming, however, that conditions of racial tension or racial violence may exist, the decision in Aaron v. Cooper, as set forth by the Court of Appeals, precludes further consideration of a plea of probable racial tension or racial violence as a sole legal excuse for denying an otherwise qualified Negro child admittance into a previously all-white school. At the time these remarks are being made, a stay has been granted to the Eighth Circuit's ruling. Whether the stay will be vacated by one or more of the justices of the United States Supreme Court is of no consequence as far as our case is concerned. The law is as expounded by the Eighth Circuit until and unless reversed by the United States Supreme Court. And this interpretation of the law is controlling in the present proceeding in the absence of a conflicting ruling from the United States Court of Appeals for the Fourth Circuit, which latter court has already held as previously noted, that a person may not be denied enforcement of constitutional rights because of action taken or threatened in defiance of such rights.

For the reasons aforesaid, and without commenting upon the correctness of the decisions referred to, you are told that evidence, suggestions, or opinions as to probable racial tension or racial violence should not be considered by you in determinging whether or not an otherwise qualified Negro child is entitled to be admitted into a heretofore all-white school. Likewise, such related problems as may naturally and probably flow from factors of racial tension or racial violence may not, standing alone, provide a basis for denial as heretofore stated. This is not to say, however, that if racial tension or racial violence occurs subsequent to the admission of the Negro child, and the fault lies primarily with the child by reason of his or her activities, excluding consideration of race, the child could not be appropriately dealt with by suspension, expulsion or transfer as an administrative matter.

The Isolated Child

As to another group of applicants, you have denied admission to otherwise qualified Negro children solely under the theory that the Negro child would be "isolated" and that educators despair of teaching pupils who are anxious, insecure children, and who may feel unwanted by their group. Psychologists are in agreement that the factor of being isolated is one, but only one, situation which may tend to deter the child. It is similarly the feeling of psychologists that a child so isolated is motivated to progress in his classroom work and train his emotional stability to combat the isolated feeling. These are the views as reflected by the evidence and need not be considered as my personal views. It is perfectly apparent, from a legal standpoint, that the sole reason advanced by you in denying such an application of an otherwise full qualified negro child is legally insufficient.

Scholastic Achievement, Tests and Interviews

Pursuant to your resolution adopted on July 17, 1958 you required each applicant to submit to the California Achievement Test, as well as to interviews with your qualified educators and psychologists. In this period of transition from a segregated to a racially nondiscriminatory school system, it is the court's view that, where fairly administered the factors of prior scholastic achievement, reasonable tests and results of personal interviews may, in your sound judgment, be considered in determining the property of admission of a Negro child to a previously all-white, as well as to a predominantly white, school, and vice versa. Contrary to the argument of some of the applicants, this court finds no support in the contention that a child determined to be qualified for admission to, for example, the fourth grade, and who is then about to enter the fifth grade in the school now attended by him, has a constitutional right to demand entrance into a lower grade in a previously all-white school. As pointed out in argument, this would result in the geographical limitation becoming the only effective and legal reason for the denial of any application. The school board has heretofore required tests and interview in special cases involving transfers and admissions; you are now continuing that practice which is not an unreasonable educational function. There is nothing in the Brown decision which states that geographical location shall be the sole controlling factor in ascertaining the right of admission of any child.

You are to be commended in the fairness with which you administered these tests and interviewed these applicants under rather trying circumstances. Your integrity is exemplified by the total absence, as of this date, of any charge indicating prejudice, in the giving or correcting of such tests. Even the experienced educator submitted by the plaintiffs concedes that. In this transition period, tests and interviews are in order. While this witness expressed the view that the standard applied was, in his opinion, a bit severe, he readily agreed that such was a matter of judgment over which this court is not concerned unless it be plainly discriminatory.

In reviewing these applications, however, it may be well to consider especially the achievements, or lack of same, of those children in the first and second grades where, according to your own eduucators, it is suggested that desegration should begin on a gradual basis, and where, according to all witnesses, it appears that the tests are not of as great importance in determining the ability of the child to adjust to the situation and keep abreast of the other children in his work. You may similarly consider, where the denial may have been grounded upon a minor deficiency showing in the achievement test, the circumstances under which the child took the test to determine whether the child is academically qualified.

One of your members testified that, in his opinion, a child did not appear to meet the academic qualifications prescribed, a view that was not shared by your superintendent. In determining the qualifications of any child it is noly proper that the conclusion should be reached by your joint action and not that of any individual member, although the views of that member may be carefully weighed in arriving at your final conclusion.

Too Frequent Transfers

The evidence discloses that, as of Sept. 1, 1959, a new school for elementary children will be constructed and available for occupancy by children in the Rosemont area. At the present time Negro children in that locality attend Oakwood Elementary School, heretofore used only by Negro children. Several applications have been presented involving children who live in the immediate neighborhood of Norview Elementary School, heretofore attended solely by white pupils. No question has been raised as to the construction and availability of the new Rosement School on Sept. 1, 1959, which, by reason of its general location approximately seven blocks from the existing Norview Elementary School, will presumably be occupied predominantly by Negro children. The question presented is whether, if a Negro child will be transferred to Rosement next year, should the child otherwise fully qualified be admitted this school year to Norview Elementary, a school many blocks closer than Oakwood Elementary, heretofore attended by said child.

Among all the varied problems presented to the court in this proceeding, this is the most complex from a legal standpoint. Undoubtedly such a child, otherwise fully qualified, has a right to attend Norview Elementary. May that right be deferred for one year where the testimony establishes that the child will again be transferred to Rosemont the following year? Subject to the following comments, the court holds that, in the exercise of sound discretion and where proof convincingly establishes that the second transfer must hereafter be made to Rosemont, the constitutional right may be deferred for the one year period. The establishment of a new school will require a new geographical unit area which may, or may not, bring about the later transfer of the child seeking admission to Norview Elementary. This is the type situation which was referred to by the Supreme Court when it said in Brown:

"Once such a (prompt and reasonable) start has been made, the courts may find that additional time is necessary to carry out the ruling in an effective manner."

14d(1) 1958 VIRGINIA NORFOLK

But Pleads For Delay

News-Observer

Norfolk Board Assigns 17 Negro School Pupils

Charleston, S.C.

NORFOLK, Va. (AP)—The Norfolk School Board yielded to a federal court desegregation order Friday and announced it will assign 17 Negro children to white schools but appealed to U.S. Dist. Judge Walter E. Hoffman to put off the day of integration from Sept. 8, when schools are due to open, until September 1959.

Enrollment of Negro children in white schools, even on paper, would automatically close these schools under one Virginia law. Still another law would cut off state funds to the affected schools.

The board said admission of the 17 Negroes this year would "unduly interfere with the proper administration of the schools affected." An extra year, it argued in a motion, is needed to prepare residents of this port city and school officials for "profound changes."

First In Virginia.

This is the first time a school board in Virginia has said it would assign Negroes to white schools. A federal judge has directed the admission of specific Negroes to white Arlington County schools, and that locality also faces the prospect of closed schools next month.

Gov. J. Lindsay Almond Jr., was vacationing and unavailable for comment.

Judge Hoffman implied that he would reject the request for a delay unless the U.S. Supreme Court permits a 2½-year delay in integration at Little Rock, Ark. Such a ruling, Judge Hoffman said, "undoubtedly would put a different complexion on this case." And he remarked: "We apparently are living on a day-to-day basis in this matter."

Judge Hoffman said if the Supreme Court permits the delay at Little Rock, he would receive a motion to transfer the 17 Negro pupils back to Negro schools.

The Supreme Court hears further arguments in the Little Rock case Sept. 11.

J. J. Brewbaker, Norfolk school superintendent, said it was possible the board might postpone the opening of schools a short time if it decides "such action would be advantageous."

The Norfolk School Board is under an injunction issued by two State Supreme Court justices which forbids it to assign any pupil to any of its schools, white or Negro. Under state law, all assignment power is vested in a three-member State Pupil Placement Board.

A state spokesman said, however, that since the Norfolk board told Judge Hoffman only that it "will" assign the Negro pupils, and has not yet formally assigned them, no action is possible at this time against the board for violation of the injunction.

Contemplating such action when it does make the assignments, the board told Judge Hoffman Friday it would petition him for protection. As a federal judge he can enjoin state courts from taking action against the board as an outgrowth of the injunction.

In Richmond, the State Pupil Placement Board said in a statement it has been given no information on Negro pupils who applied for admission to Norfolk's white schools. The board said it forwarded the Norfolk School Board 19,200 application forms on June 30 and "not a single application has been returned."

No Reply.

The board said it has received no reply from the school board to its offer of two days ago to assume sole responsibility for assigning Norfolk pupils, provided it received the necessary information.

The 17 Negroes who will gain assignment to white schools here applied for the city's three white high schools and three junior high schools. They were among 151 Negroes whose applications for white schools originally were rejected under a local assignment plan.

Sixteen of the 17 were turned down because their presence in white schools would cause racial tensions, or because of possible isolation among white schoolmates. The other child was rejected because he did not meet scholastic requirements for the eighth grade. A recheck showed he had applied for the seventh grade and his application then was approved.

Judge Hoffman told the board Monday that isolation and tensions were not valid grounds for rejecting applications. He told the board to reconsider all 151 Negro applications in the light of his instructions.

In the report read to Judge Hoffman today, the board chairman, Paul Schweitzer, said: "Contrary to what all of the members of the board and the division superintendent of schools honestly and sincerely believe is in the best interests of the applying children, the children in the affected schools and the public in general, but pursuant to the law as interpreted by the court and the duties required of the defendants, the board will assign the 17 Negroes to white schools."

Norfolk's estimated population is 290,000, about 25 per cent of it Negro. The city has 36 white schools and 20 Negro schools.

The board said the school population is about 66 per cent white. It is estimated that the state will provide 25 per cent of the operating budget for schools in the next year.

Meanwhile, at Little Rock, the Arkansas Legislature recessed its historic special session Friday but stood ready for instant recall should Gov. Orval E. Faubus need additional legislative armament in his fight against school integration.

The lawmakers armed Faubus with a host of anti - integration bills during the five-day session. The key measure was a bill authorizing the governor to close Little Rock Central High School in the event the U. S. Supreme Court orders readmittance of seven Negro students.

Faubus, however, has not signed the bills into law and has indicated that he would not do so until after the high tribunal meets Sept. 11.

VIRGINIA AND ITS SCHOOLS

Push for Integration Is Biggest in Norfolk

By MARY LOU WERNER
Star Staff Writer

NORFOLK, Va., Aug. 19.—The biggest push for integration in Virginia is in Norfolk, numerically and legally speaking.

The sprawling port city of 300,000 residents has received applications from 151 Negro students seeking to enter white schools when the fall term begins September 8.

This is nearly three times as many applications as any other community in the State has received.

All of the applications were turned down by the school board yesterday, but the integration effort is far from over

(Third of a Series)

Star

Legal Battle Ahead

What has happened is preliminary to the tangled legal battle due to follow as Negroes appeal the school board's action, and ask Federal courts to enroll them in white schools.

The court already has made preparations to meet day and night between now and Labor Day to pass on such applications.

Washington

This puts the school board under fire from all directions.

Federal Judge Walter Hoffman has told the board to stop assigning students according to race this fall.

A local assignment plan drafted by the school board to meet Judge Hoffman's decree has been challenged on one hand by white parents who fear it may permit integration, and on the other by Negroes who regard it as another roadblock.

8-19-58

Negro students who have not challenged the assignment plan as a whole are ready to go to court in an attempt to overturn the school board's rejection of their transfer application.

Resistance Laws Loom

Waiting to take effect whenever an integrated assigment is made—presumably by the Federal Court—are the State's massive resistance laws, which automatically close any school where races are mixed and withhold State school funds from localities that attempt to operate mixed classes.

At a June board meeting, School Board Chairman Schweitzer told a group of parents anxious to know what to expect in September that the school board "is just as uninformed as you are." He said he did not want to hold out any false hopes "but I just can't imagine 36,000 children out on the street. It's just impossible to imagine. Let's don't lose our faith yet."

The school board's firm pronouncements for keeping schools open are all the more conspicuous for their contrast to the activity among ciitzens.

The president of the PTA council is a member of the pro-segregation Defenders of State Sovereignty and Individual Liberties, and is one of the organizers of a new group formed to set up private schools when public schools close. No organization dedicated to keeping schools open, such as Arlington's Committee to Preserve Public Schools, has appeared on the scene.

Closing vs. Integration

William I. McKendree, PTA Council president, is convinced that a majority of white residents in Norfolk would prefer to see schools closed than submit to integration.

According to Mr. McKendree, Norfolk has spoken three times in support of segregation—in the Gray referendum three years ago which carried the city, in the election of Gov. Almond who campaigned on the race issue, and in the outcome of last year's House of Delegates' contest.

The six incumbent delegates who had opposed part of the 'massive resistance" program won re-election over three 'massive resistance" advocates, but according to Mr. McKendree it was the Negro vote that made their re-election possible.

Mr. McKendree was elected president of the PTA Council in May by a vote of 48 to 30. He has helped organize the Tidewater Educational Foundation to operate private schools in place of public schools that may be closed by integration.

Amused At No Opposition

It amuses him that no opposing organization has come forth to fight the private school idea.

"If there are any white integrationists in the city of Norfolk, we haven't heard from them," said Mr. McKendree.

James G. Martin IV, an attorney, is president of the foundation. Like similar groups in other communities facing the prospect of closed schools, the foundation proposes to use church facilities, schools in adjacent communities and the facilities of civic groups to conduct classes.

One church group, the Norfolk Presbytery, recently announced its support of the Supreme Court desegregation decision and cautioned its 57 member churches against use of their buildings as private schools.

Other advocates of maintaining public schools may be silent for the time being in Norfolk, but they are there just the same.

One such advocate, who preferred to remain anonymous, explained the silence this way:

"There are many of us who believe it is unthinkable for Norfolk to give up public schools. It would be an impossible task in any of the big cities to substitute private schools.

"Silence on the part of those who want schools to stay open does not mean they are unconcerned. They are concerned. We have people here from all parts of the country, many who are accustomed to integrated schools. But to get in this battle publicly takes a lot of time—it is very controversial, and right now it does not look like anything can be done. When schools start closing, you'll get some reaction all right. That is something Norfolk has not faced up to.

No Cheering Needed

"If anything can account for silence from our side, it is because the school board appears to be doing all it can to keep schools open. They don't seem to need a cheering section."

A spokesman for the local chapter of the National Association for the Advancement of Colored People also expressed doubt that Norfolk residents — white or Negro — would be satisfied to see schools closed. He predicted that closed schools could be reopened by court order, and believed integration would follow without difficulty.

Robert D. Robertson, who heads a meat cutters' union, is president of the local NAACP. Attorney for a number of Negro children involved in the integration attempt is Victor J. Ashe, a graduate of Villanova University in Pennsylvania.

The Negro applications effect all seven of the city's white secondary schools, and three elementary schools.

Norfolk would feel the pinch, but no doubt could finance its own public school system without help from the State.

$10 Million Budget

The 1958 school budget amounts to $10,354,406. The State's share amounts to $2,439,472. Local funds account for $6,565,583 and another $1,240,000 is to come from the Federal Government.

With a tax base of more than $300 million, it is estimated the city could raise the State's share of school funds with a 60-cent tax increase. The present tax on real estate is $3 per $100 of assessed valuation.

Across Hampton Roads in Newport News, the school issue has been dormant for several months because of uncertainty about the status of a desegregation decree Judge Hoffman issued against that city simultaneously with Norfolk.

Newport News, with 50,000 residents in four square miles, merged on July 1 with Warwick, with 65,000 residents in 70 square miles. That was after Judge Hoffman had ordered the original city of Newport News to desegregate, come this fall. At a recent hearing, Judge Hoffman indicated the merger might have some effect on his order.

Race Was Issue

The race issue figured in the move to merge. The Negro population had been increasing steadily for years in the old city of Newport News. White residents figured Negroes soon would have enough voting strength to elect local officials, or even send a representative to the General Assembly. Other reasons were advanced for the merger, which voters approved, but the race question was a prime factor.

School enrollment in the original portion of Newport News was around 9,000, which was about 60 per cent Negro. When schools open this fall for the enlarged city, an enrollment of 23,000 is expected, of which 35 per cent will be Negroes.

Because of the clouded legal situation brought about by the merger, little attention has been paid the Newport News case until recent weeks. Now the city has received eight applications from Negro students to attend the white Walter Reed Elementary School in the old part of the city, where Judge Hoffman has implied his desegregation edict still applies.

But the city officials seem to believe there is hardly enough time left before school opens September 4 to settle the legal technicalities brought about by the merger, and do not expect to be pushed to the wall like Norfolk—at least, for several months.

NORFOLK

ENROLLMENT—29,167 white; 14,654 Negro.

SCHOOL BUDGET — $10,354,406, with $2,439,472 from the State.

LEGAL SUMMARY — School board under orders to desegregate this September. Applications received from 151 Negroes to enter white schools.

Norfolk School Case Heads Back to Court

Star Tues. 8-19-58

Negroes Will Challenge Exclusion Of 151 From White Institutions

By MARY LOU WERNER

Star Staff Writer

Washington, D.C.

NORFOLK, Va., Aug. 19.—The Norfolk School integration case was headed back to court today as Negro students prepared to challenge the school board's refusal to enroll them in white schools.

Federal Judge Walter Hoffman has promised to hold court hearings day and night to pass on rejected Negro applications, beginning tomorrow.

P. 1

The school board, using its own local pupil assignment plan, late yesterday turned down the applications of all 151 students seeking to enter white schools here when the fall term begins September 8.

Push for Integration Is Biggest in Norfolk. Page B-1

Varied Reasons Given

A variety of reasons were given, including the emotional effect of placing isolated Negro students in white schools, insufficent scholastic achievement and possible recurrence of racial difficulties in a neighborhood where there has been trouble before.

The effect of the school board's action is to put the burden of making any integrated assignment on the Federal Court.

The school board's announcement climaxed a busy day in the Norfolk case, which saw these other developments:

1. Judge Hoffman took under advisement a motion by Negro attorneys to hold the entire Norfolk assignment plan unconstitutional on its face. He said he had "grave doubts" about the plan because it applied only to interracial student transfers.

2. Justices of the State Supreme Court of Appeals granted a temporary injunction to prevent the Norfolk School Board from using its own assignment plan, instead of the State pupil placement procedure. Advised of the injunction, an attorney for the Norfolk School Board said no assignments were made, therefore nothing was done to violate any injunction.

3. Judge Hoffman reminded Norfolk School Board members that they are already under an injunction in his court forbidding student assignment based on race and "if they flagrantly violate it they are in contempt of this court." His comment was made before the school board rejected the Negro applications.

Five-Hour Meeting

The school board members conferred behind closed doors for nearly five hours before announcing rejection of the Negro applications.

It was the first time a Virginia school board under desegregation orders had passed on specific applications of Negro students to enter white schools.

Charlottesville, which began testing Negro students yesterday under a similar local assignment plan, so far has not made any assignments. Arlington is leaving the job of making assignments up to the State.

The Norfolk School Board, in announcing the decision, said it had attempted "to approach the problem from the standpoint of sound education."

Star Tues 8-19-58

Of the 151 original Negro applicants, 61 declined to take the tests prescribed by the assignment plan, one who took the test failed to show up for a personal interview, and one withdrew. All of these applicants were rejected without further comment.

60 Held Unsuitable

Of the remaining 88 applicants, the School Board said 60 were "clearly unsuitable for the assignment requested. The vast majority failed to meet the minimu mscholastic requirements."

Four other applications were turned down because they would have put isolated Negro students in all-white schools. The Board said it believed the isolation "would be detrimental to educational progress and may well cause emotional instability and even detriment to health."

The remaining 24 applicants included nine seeking to enter Norview elementary, six for Norview junior high and nine for Norview high. Regarding these students the board said:

"As for these children, the board feels it must deny their applications because it is not in the best interest of the applicants nor of the present students to grant such petitions.

"Racial conflicts have occurred in this area in the past and the board is of the opinion that integration there would renew such conflict and produce grave administrative problems within the school system—all to the determent of good education and the public welfare."

New School to Go Up

The board also noted that a new school is about to be built in the Rosemont-Coronado area which nine of the Norview elementary applicants eventually would attend. Transfer to Norview now, then to the new school, the board said would not be good for the children. Crowding at Norview elementary was listed as another factor.

The racial conflict mentioned in the statement apparently had reference to difficulties that occurred in 1954 when Negroes began moving into a former white neighborhood. Several homemade bombs were exploded, but no one was hurt.

Yesterday's hearing before Judge Hoffman was on a petition by the Negro students who boycotted Norfolk's assignment test.

The white parents who obtained the injunction from the State judges contend that Norfolk has no authority to assign students on a local basis because of the State pupil placement law, which puts the job of making assignments in the hands of a three-member State board.

Judge Hoffman previously ruled in the Norfolk case, however, that the State placement law was "unconstitutional on its face." His ruling came on a motion, and there have been legal differences whether it actually rendered the State placement law inoperative in Norfolk.

In Charlottesville, operation of the State placement law specifically had been suspended by Federal Court order. In the Arlington case, however, attorneys feel that the entire placement law has not been suspended, although Federal Judge Albert V. Bryan previously held that Negroes in that county could not be compelled to use it.

High Court Ruling Awaited in Norfolk

Judge Hoffman Says He Will Halt Integration if Delay Is Granted

By MARY LOU WERNER
Star Staff Writer

NORFOLK, Va., Aug. 23.—Federal Judge Walter Hoffman last night said he would halt the Norfolk integration case if the Supreme Court upheld the Little Rock delay—but added that he did not believe that it would occur.

Judge Hoffman's comment on the possible effect of the Little Rock case came during closing arguments on a suit by Negro students to overturn the Norfolk school board refusal to enroll them in white schools.

Star
p A16

Attorneys for the school board called to Judge Hoffman's attention that a stay had been granted by the 8th Circuit Court of Appeals of its decision overruling the two-and-a-half year integration delay that Judge Harry J. Lemley gave Little Rock.

"If they overrule the Eighth Circuit, you just come back here and see me and I'll end all your troubles," said Judge Hoffman to school board attorneys. "You would not be here if the Eighth Circuit had affirmed Judge Lemley. I had made up my mind to stop all proceedings. But after the affirmance of the Eighth Circuit, I have no doubt."

Washington
DC
Sat 8-23-58

Norfolk Not Bound

The fact that a stay has been granted by the Eighth Circuit means that Judge Lemley's decision is sill binding in Little Rock—"but not in Norfolk," Judge Hoffman declared.

Attorneys for the school board asked Judge Hoffman if the possibility of a reversal by the Supreme Court in the Little Rock case should not be considered a reason for giving Norfolk another year.

If the Supreme Court does overturn the Eighth Circuit, "they may as well overrule 'Brown vs. the Board of Education' the same day," reported Judge Hoffman. He was referring to the original desegration ruling of the Supreme Court.

Judge Hoffman pointed out that the 4th Circuit Court of Appeals, which is binding in his court, already had said that threats or possible school closings could not interfere with enforcement of the law.

Closing arguments heard by Judge Hoffman at the end of a court sessiion which met day and night dealt with the validity of reasons given by the Norfolk school board for rejecting 151 applications for transfer to white schools.

Action Called "a Start"

So far, 50 Negro students who submitted to tests and interviews prescribed by the school board have challenged the board's refusal to put them in white schools. Another three students who did not take the tests are also challenging the board's action.

Virginia Attorney General Albertis S. Harrison called Norfolk's local assignment plan "a start—a beginning toward compliance."

"This country, the South and Virginia must have a reasonable time," said the top legal officer of the State that invented massive resistance. "Time, education and understanding will solve this problem."

Mr. Harrison's appeal was conspicuous for its contrast with the position of State political leaders who, outside of court, called the Supreme Court decision unconstitutional and say there can be no integration ever in Virginia.

"There is today a greater understanding of the Supreme Court decision than ever before," said Mr. Harrison. Out of Little Rock, he said, came the realization that if the Federal Government will use force to se that court rulings are obeyed, "we are going to have closed schools or integrate schools."

He called Norfolk case "bright spot" in the "whole clouded picture."

"If there be any group in Virginia that can comply, that can do these things envisioned by the Supreme Court, it is the Norfolk School Board," said Mr. Harrison.

He acknowledged that "we would be less than realistic if the Norfolk School Board came forward with a plan inviting integration."

But the first time any Negro transfer applications were received, he declared, the board went into "immediate action" and drafted a local assignment plan.

"Happily, that is a step toward bona-fide compliance," he declared.

Spottswood W. Robinson III, one of the attorneys representing Negroes, said in rebuttal:

"I suppose the reasonable start the attorney general is referring to is denial of those 151 applications.

Board's Argument Assailed

Mr. Robinson devoted most of his closing argument to an attack on the school board contention that Negro students should not be assigned to schools where they should be isolated among white students. Isolation was among the reasons given for rejecting the applications.

Other reasons included lack of scholastic achievement, racial tension and too many transfers for some students.

"Isolation is nlot a new problem for a Negro,' 'said Mr. Robinson. "From the day he is born until he is buried, every day of his life, he is fighting to be accepted. Little by little he makees progress. When he gets out of school he will not have the parental protection of the school board."

Mr. Robinson said he did not see where anything had been said during the four days of testitmony "to justify the court in indulging the defendents further."

Achievement Factor Approved

Judge Hoffman made it clear, however, that he intends to rule that lack of scholastic achievement is sufficient grounds for rejecting a Negro application. He told school board atorneys last night not to bother offering arguments on that point. This in effect eliminates 26 of the 50 applicants who were given tests and are challenging the school board's action in court.

Repeatedly during yesterday's hearings, Judge Hoffman pressed school officials to say when they thought school desegration could proceed in Norfolk. He never got a specific answer.

"Compliance is the key to whether or not I must excercise the process of contempt," he declared. The school board is under a desegregation injunction forbidding assignment based on race for the fall term beginning September 8. Judge Hoffman had told the school board, however, that he will specify on Monday what reasons he considers valid for rejecting Negro applications and then give the board opportunity to reconsider its action on all of them.

NORFOLK DECISION EXPECTED MONDAY

New York Times

New York, N.Y.

U.S. Judge to Instruct Board on Assigning Negroes to Public Schools

Sat. 8-23-58

Special to The New York Times.

NORFOLK, Va., Aug. 22 — Federal Judge Walter E. Hofman is expected to instruct the Norfolk School Board Monday morning in its legal duty toward Negro applicants for white city schools.

P. 16 C

This probability was the major development in the second day of hearings on suits brought in Federal Court against the School Board.

Judge Hoffman has indicated that he will prepare written instructions for the School Board in the disposition of the fifty-three applicants involved in the current suits.

During the course of today's testimony, Judge Hoffman told Norfolk school superintendent A. J.: "You have totally disregarded the decision of the U. S. Supreme Court," in the placement of Negro applicants to white schools. But he said he was "confident that you and the School Board conscientiously and honestly felt you did what was in the best interest of each child."

Categories Set Up

Argument of the fifty-three cases before the court was divided into five broad categories They were:

1. Racial tension in the Norview area of the city, where twelve of the Negro applications are involved.
2. Isolation, wherein one or two Negro students would attend otherwise an all-white school
3. The too frequent transfer of students, based on the fact that a new Negro elementary school will be constructed next year to benefit eight Negroes who have asked admission to a white school in the same area.
4. Geographical boundaries, involving one applicant who seeks to attend a school outside his district.
5. Lack of scholastic achievement, as demonstrated by the School Board series of written and oral tests provided in the pupil assignment plan Twenty six Negro students are included in this, the largest, category.

During the first day's hearing on Thursday, city officials admitted that at least four of the eighty-eight Negro applicants who took the special examination had been denied admission to white schools because they were Negroes.

All four, they admitted, in response to questions, were scholastically qualified and would be acceptable if they had been white.

After testimony had been on the fifty-three cases, Judge Hoffman agreed to give each side a one-hour period for legal argument on the five categories.

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17 Negroes Accepted At Norfolk

Washington DC.
Washington Post

School Board Acts Reluctantly On Enrollment

Sat. 8-30-58

By Mechlin Moore and
Robert E. Baker
Staff Reporters

NORFOLK, Aug. 29—The Norfolk School Board said today it was reluctantly prepared to enroll 17 Negro pupils in six white schools this September.

P. 1

But the Board immediately asked Federal District Judge Walter E. Hoffman to delay the enrollment for a year. Hoffman, who has carefully guided the School Board into the position of making the assignments or facing contempt, indicated he would not grant a delay.

This would open the way for an appeal and further litigation in State attempts to get Hoffman to stay his order and, if that failed, efforts to get a stay from the Fourth Circuit Court of Appeals.

Closing Would Follow

If all these efforts were to fail, then it is expected that Gov. J. Lindsay Almond would declare that the six schools involved—attended by 10,250 white pupils—are closed as provided by State law. The Governor was away and could not be reached today.

The time required by the prospective litigation probably will force the school Board to postpone the beginning of the fall term beyond its scheduled Sept. 8 date. Charlottesville, facing desegration litigation,

12 Negroes refused enrollment in Alexandria.
Page D1.

has delayed its opening date until Sept. 15.

Virginia's third community facing desegregation, Arlington, has a date in Federal court early next week but plans to stick by its opening date of Thursday.

Hoffman originally ordered Norfolk to begin desegregation last year but appeals gained the city a year. This spring, 151 Negroes applied to enter white schools but the School Board rejected all of them.

Hoffman in effect agreed with the Board's rejection of 63 pupils who refused to take tests and interviews. But he ruled out "racial tension" and "isolation" as valid rejections of those who took the tests and then sought further relief in his court.

Post

Sat. 8-30-58

He told the School Board in unusual instructions last Monday, to reconsider the 151 applications and report back to him today.

Board Chairman Paul T. Schweitzer told Hoffman the 17 assignments—12 of which previously were rejected for "racial tension" for four "isolation" and one rejected erroneously for academic deficiency—are contrary to what school officials "honestly and sincerely believe is in the best interests of the applying children, the children in the affected schools and the public in general."

But Schweitzer said the Board will reluctantly assign the Negroes to white schools in compliance with the judge's year-old order.

Hoffman thus succeeded in forcing the School Board to make the assignments—first in Virginia—rather than assigning the Negroes himself. He had told the Board earlier this week that he would not make assignments and set such a precedent for Federal District judges throughout the South.

Hoffman did not act on the motion by School Board attorneys to delay the assignments for a year—but he indicated, as he has done before, that he has no sympathy with further delays.

Assistant City Attorney W. R. C. Cocke asked Hoffman for "protection" against a state court injunction, obtained by two Norfolk segregationists, which prevents the School Board from making any assignments.

Hoffman replied there was "no doubt in my mind" that the State court is in a very difficult position" to prevent the assignments.

After the hearing, Schweitzer said the School Board was not decided whether it will ask the Governor to return the schools to local control if they are closed. Under the school-closing law, the Governor may do so if so requested by the School Board and City Council. The Governor has given no indication he would return them.

Oliver W. Hill, an attorney for the Negro children, said legal action will be taken to fight the school closing law if it is involked. And last year, Hoffman said he would give "complete protection" to the School Board against State action if it came up with a desegregation plan in defiance of the State's "masive resistance" program.

Little Rock Decision

Hoffman reiterated today that he will consider a School Board motion to assign the Negroes back to Negro schools if the U. S. Supreme Court grants a delay of integration in Little Rock. The Supreme Court has scheduled a hearing on the Little Rock case Sept. 11.

If the Supreme Court grants a suspension in Little Rock said Hoffman, "it would by its action, completely and effectively, destroy the effective compliance" with the 1954 school desegregation decision

Enrollment of the 17 Negroes involves all three of the city's white high schools and three of th four white junior highs.

It would mean all high school education for the city's public white students would be shut off, at least temporarily, by State law.

In federal court hearing—

Birmingham News

Virginia race fight shifts to Norfolk

Birmingham, Ala.

Fri. 8-29-57

NORFOLK, Va., Aug. 29—(AP)—The next skirmish in Virginia's complex and confusing fight to preserve segregated schools was to take place today as Norfolk school authorities report to Federal Court on their reconsideration of Negro applicants to white schools.

The report comes less than 24 hours after another integration-threatened city—Charlottesville—sought more time to find a solution to the problem by postponing the opening of public schools from Sept. 2 to 15.

Only Burley High School for Negroes will open Sept. 2 in Charlottesville. The exception was made because Burley is operated jointly by the city and adjacent Albemarle County.

P. S.

TODAY'S HEARING here was ordered by Federal District Judge Walter E. Hoffman after the Norfolk School Board turned down the applications of all 151 Negroes who wanted to enter white schools. Hoffman directed the school board to reconsider its action, and to pay particular attention to the applications of 16 Negroes who in achievement tests and interviews showed themselves academically qualified for admission.

John S. Battle Jr., Charlottesville city attorney and chief draftsman of that city's local pupil assignment plan, hinted last night that city authorities still are worried some schools will be closed by state law.

Virginia law requires the closing of any integrated school.

THE SCHOOL BOARD, Battle announced, "is of the opinion that the welfare of the city as a whole might be better served by not opening schools which might later have to be closed."

Charlottesville, like Norfolk is under Federal Court orders to desegregtate schools next month.

Charlottesville, as did Norfolk required Negro pupils seeking admission to white schools to submit to tests and interviews. Federal District Judge John Paul has asked to see the results of these tests and interviews, and Battle said he expected to arrange a meeting some time next week to present the board's conclusions.

Paul has indicated that should be find the school board discriminated against the Negro applicants, he would make pupil assignments himself.

Battle said the school board has not decided yet whether it will attempt to assign any pupils to public schools. An injunction issued yesterday by Charlottesville Corporation Court Judge George M. Coles enjoins the school from assigning any pupils—white or Negro—to public schools.

Paul, however, could set this injunction aside.

After the board presents its conclusions to Judge Paul, Battle said, "enough time will be left for either of the parties to take such appeals as indicated."

Board OKs

Montgomery

Integration

Advertiser

At Norfolk

"Montgomery Ala."

Administrators Ask Court To Postpone Action Until 1959

Sat. 8-30-58

NORFOLK, Va. (AP)—The Norfolk School Board yielded to a federal court desegregation order Friday and announced it will assign 17 Negro children to white schools but appealed to U.S. Dist. Judge Walter E. Hoffman to put off the day of integration from Sept. 8, when schools are due to open, until September 1959.

Enrollment of Negro children in white schools, even on paper, would automatically close these schools under one Virginia law. Still another law would cut off state funds to the affected schools.

The board said admission of the 17 Negroes this year would "unduly interfere with the proper administration of the schools affected." An extra year, it argued in a motion, is needed to prepare residents of this port city and school officials for "profound changes."

P. A.

FIRST IN VIRGINIA

This is the first time a school board in Virginia has said it would assign Negroes to white schools. A federal judge has directed the admission of specific Negroes to white Arlington County schools, and that locality also faces the prospect of closed schools next month.

Gov. J. Lindsay Almond Jr., was vacationing and unavailable for comment.

Judge Hoffman implied that he would reject the request for a delay unless the U.S. Supreme Court permits a 2½-year delay in integration at Little Rock, Ark. Such a ruling, Judge Hoffman said, "undoubtedly would put a different complexion on this case." And he remarked: "We apparently are living on a day-to-day basis in this matter."

Judge Hoffman said if the Supreme Court permits the delay at Little Rock, he would receive a motion to transfer the 17 Negro pupils back to Negro schools.

The Supreme Court hears further arguments in the Little Rock case Sept. 11.

J. J. Brewbaker, Norfolk school superintendent, said it was possible the board might postpone the opening of schools a short time if it decides "such action would be advantageous."

The Norfolk School Board is under an injunction issued by two State Supreme Court justices which forbids it to assign any pupils to any of its schools, white or Negro. Under state law, all assignment power is vested in a three-member State Pupil Placement Board.

Advertiser

P. A.

A state spokesman said, however, that since the Norfolk board told Judge Hoffman only that it "will" assign the Negro pupils, and has not yet formally assigned them, no action is possible at this time against the board for violation of the injunction.

Contemplating such action when it does make the assignments, the board told Judge Hoffman Friday it would petition him for protection. As a federal judge he can enjoin state courts from taking action against the board as an outgrowth of the injunction.

In Richmond, the State Pupil Placement Board said in a statement it has been given no information on Negro pupils who applied for admission to Norfolk's white schools. The board said it forwarded the Norfolk School Board 19,200 application forms on June 30 and "not a single application has been returned."

Huddleston Says Court Has 'Bear By Tail'

BIRMINGHAM (AP)—Rep. George Huddleston (D-Ala) says delay by the Supreme Court in the Little Rock school case shows "They realize they have a bear by the tail."

Huddleston was interviewed Friday after returning home from the long session of Congress. He said he thinks the federal courts may change their attitude toward integration of schools.

He added that strong pressures for integration could "result in a critical division of the people of this country" — and said this would be more dangerous than a reduced defense effort.

14d(1) 1958 NIA RICHMOND

Police Ready To Halt Riots, Almond Says

Post-Times Herald

P A12

Washington

7-25-58

RICHMOND, July 24 (AP) Gov. J. Lindsay Almond said today he didn't look for any disturbances in the areas ordered to desegregate their public schools in September but felt the state police and local authorities were fully able to keep peace if necessary.

"To anticipate trouble might invite it," Almond told his news conference.

The Governor said he had conferred with the state police on their ability to quell disorder if called on and felt confident they could do the job.

Local peace officers, too, would be expected to cooperate, Almond added. He said he had no doubt they would give their full cooperation to uphold law and order.

In recent testimony in Federal District Court, the sheriff of Prince Edward County—whose county school desegregation case is still in litigation—said he didn't believe the entire state police force (more than 600) plus his own small force could prevent violence if integration is attempted at this time.

On school situations in Arlington, Charlottesville, Norfolk and Newport News—all under September desegregation orders—the Governor offered little specific comment. He did say, however, that efforts to enroll white pupils in Arlington Negro schools was not much different in his view than trying to enroll Negro pupils in white schools.

Asked if the attempt by a segregationist group to enroll white children in Negro schools and thus close them under state law didn't appear to go against announced state policy, Almond said, "One situation is counter to state policy as much as the other."

He expressed disagreement with a statement yesterday by a Charlottesville legislator—[illegible] William Hill—that the Assembly should meet and return pupil assignment responsibilities to the localities and [illegible] local option to govern the application of massive resistance.

"The Charlottesville plan seems to accept some measure of integration and I know of no degree of integration except as it would be measured by the NAACP—and with them it's total integration," he said.

Almond Vows Empty Houses Await Troops

Advertiser

Montgomery

Ala

8-22-58

RICHMOND, Va. (AP)—Gov. J. Lindsay Almond Jr. said Thursday that if federal troops are sent into Virginia to enforce public school desegregation they will patrol empty houses.

"There will be no enforced integration in Virginia," Almond said.

He called upon the people of Virginia to stand with him and the state's General Assembly in efforts to maintain the state's traditional segregated school system.

Almond's news conference remarks came in response to newsmen's questions for comment on President Eisenhower's statement Wednesday that it was the "solemn duty" of all Americans to comply with federal court school desegregation orders.

NO SPIRIT OF DEFIANCE

Almond said, "This is not a matter of defiance. I have no spirit of defiance." He said the obligation to uphold the U.S. Constitution "is of just as much concern of the governor of a sovereign state as it is to the President.

"It is my deep conviction that the—Supreme Court's—decision is in violation of the Constitution. My obligation is just as strong as it ever was. My obligation to uphold law and order is a matter on my conscience, a matter I will diligently observe."

He said he had read the President's statement and added, "the matter is exactly where it was before it got started."

HEARING IN PROGRESS

Almond's comments came as a U.S. District Court hearing was in progress at the Atlantic port of Norfolk on the petitions of 50 Negroes for admis[illegible] schools there. No[illegible] authorities conceded at the hearing that three of the Negroes met all requirements for transfer to white schools and would have been admitted if they were white.

The Norfolk school officials testified, however, that admission of the three to white schools in the Norview section of the city would

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Almond Rallies Virginians for Segregation

Star

PA22

Washington

DC

8-22-58

RICHMOND, Aug. 22 (AP)—Gov. J. Lindsay Almond yesterday called upon the people of Virginia to stand with him and the legislature in efforts to preserve the State's segregated school system.

Mr. Almond said he was convinced "mixing of the races in the public schools will destroy" public education.

"This is a State matter," he declared. "The State of Virginia and the localities of Virginia cannot operate mixed and will not operate mixed schools."

The Governor's comment was made at a press conference in response to reporters' questions about President Eisenhower's remarks Wednesday that Americans should support the school desegregation orders of Federal courts.

Asked if he had received any suggestion for a conference with Mr. Eisenhower on Virginia's school segregation problems, the Governor said:

"I do not invite the suggestion and no one has made such a suggestion that I can recall."

The President told his news conference Wednesday that some Virginia political figures, unnamed, had approached him about such a conference with Mr. Almond.

When a reporter asked if Mr. Almond had any comment on the President's prepared statement Wednesday dealing with integration, the Governor said he had read the statement and listened to Mr. Eisenhower on television.

"The matter is exactly where it was before it got started."

. Mr. Almond said there will [illegible] "no enforced integration in Virginia. If troops are sent into Virginia they will patrol empty school houses."

Enforced Integration In Virginia, Almond Says

News-Observer

Raleigh N.C.

8-22-58

P 1

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Almond's comments came as a U.S. District Court hearing was in progress at the Atlantic port of Norfolk on the petitions of 50 Negroes for admission to white schools there. Norfolk school authorities conceded at the hearing that three of the Negroes met all requirements for transfer to white schools and would have been admitted if they were white.

The Norfolk school officials testifid, however, that admission of the three to white schools in the Norview section of the city would aggravate racial tensions already existing there and would not be in the best interests of the Negroes.

The applications of the 50 Negroes were rejected by the school board earlier this week.

Norfolk, Charlottesville, and Arlington are under U.S. District Court orders to desegregate their schools starting with the term beginning next month. Virginia law calls for the closing of any school in which the races are mixed.

INTEGRATION DELAYED SEVEN YEARS BY JUDGE

Atlanta Ga.

Const. 8-5-58

By LON K. SAVAGE

RICHMOND, Va. — (UPI) — A federal judge authorized a seven-year delay Monday in the integration of schools in Prince Edward County, Virginia, origin of one of the pioneer cases de[illegible]d by the Supreme Court, because of the danger of violence.

"Judging from the experience of other localities, it may be observed that violence may be within the realm of probability if precipitate action is taken" by integrating now," the judge said.

U. S. District Judge Sterling Hutcheson made the ruling in a 5,000-word opinion. His reference to violence apparently concerned integration troubles at Nashville and Clinton, Tenn., and in Little Rock, Ark.

P 1

DEADLINE FLEXIBLE

Hutcheson directed the county, which was first ordered to desegregate in the Supreme Court's historic decision of May 17, 1954, to comply with the ruling "at the beginning of the school year for 1965."

He also said that the deadline could be extended or shortened according to "conditions" in the county between now and 1965.

Hutcheson's decision was a setback for Negro attorneys who asked him July 14 to order the county to desegregate this coming September. It was not quite a complete victory for county attorneys who asked for an indefinite stay of the desegregation deadline.

It appeared certain that the case would be appealed, but whether anything could be done in time to affect this school year was in doubt. In a similar case, the entire panel of judges in the Eighth U. S. Circuit Court of Appeals Monday took up the appeal of an integration stay covering Little Rock's Central High School.

Appeal of Hutcheson's case would be taken to the Fourth Circuit Court which sits here.

REPORT REQUESTED

Hutcheson ordered "an immediate start in the necessary preliminary steps looking to the formation of a plan" for desegregation. He specifically asked for a report "concerning the progress" on or before Jan. 1, 1959.

The decision approved a request by Prince Edward County for time in which to hire consultants who would conduct a survey and study race relations. The county's population is about half Negro and half white.

Monday's ruling does not affect the scheduled integration of schools in three other Virginia localities—Arlington County, Charlottesville and Norfolk. However, Virginia's new segregation laws would close any schools that start mixed classes.

Still another Virginia city, Newport News, is under desegregation orders but a new legal move there has delayed integration beyond the start of this term.

Rejoicing Season Short For Virginia 'Resisters'

Integration delays only temporary

Afro American

p.9

Baltimore, Md.

By CHESTER M. HAMPTON

RICHMOND — Segregationists in Virginia were given a momentary "lift" last week by Federal District Judge Sterling Hutcheson who ruled that Prince Edward County did not have to desegregate its schools until 1965.

Colored students first sought admission to the Prince Edward County School in Farmville in 1948.

8-16-58

This was one of the original cases involved in the Supreme Court decision of 1954.

The 1956 "deadline," then, comes 17 years after the original request for action. By that time, of course, none of the original plaintiffs would be eligible to attend.

A hearing on the NAACP's appeal of Judge Hutcheson's ruling is expected soon.

One Virginia observer remarked that it now seems necessary for parents to start desegregation proceedings on behalf of their unborn children in order for those children to benefit from a favorable decision.

* * *

SOMEWHAT DAMPENING the glee of segregationists, however, is the fact that not all federal judges in Virginia view matters in the same light as Judge Hutcheson.

For instance, Judge Walter E. Hoffman will hear next Monday, the NAACP's attack on the pupil assignment plan devised by Norfolk officials when they were ordered to desegregate.

The plan involved not only testing colored children applying for formerly all - white schools. In addition, the colored children must "measure up" to 10 standards adopted by the board. These standards include "cultural background," "health and safety," and other such con siderations.

It was Judge Hoffman who originally ruled that the state's pupil assignment plan was unconstitutional because of its racial features.

It is expected by unofficial observers that Judge Hoffman will view the local assignment plan in the same light.

* * *

ALSO IN NORFOLK, a hearing is awaited on a suit against the school board filed by the "Co - ordinating Committee to Maintain Efficient Education in Virginia. (In one Virginia law, "efficient" is defined as "segregated.")

Ths suit, filed in Norfolk Circuit Court, attempts to halt even the roadblock procedures adoptel by the city as preliminary measures to admission of colored students.

"First of all," said Lewis Pendleton Jr., attorney for the keep-segregation group, "it is to test the legality of the action of the school board in making tests and attempting to make assignments in clear disregard of the state's Pupil Placement Act."

The group asks that the school board be enjoined from making any assignments.

This situation could bring about a clear-cut clash between state and federal law.

Federal courts have already ruled the state placement law inoperative in Norfolk, Arlington, Richmond and a few other Virginia cities. If the state Circuit Court rules that the state placement agency still prevails in Norfolk, then the city school officials would be safe from a federal court contempt citation for failure to carry out orders to desegregate.

* * *

ALSO IN NORFOLK, 87 of 151 of the colored children slated to take the disputed examinations actually showed up to take them. At last week's end, the school board announced that it had completed the testing phase of the assignment plan and would soon complete the attendant evaluation of the students on the basis of the ten criteria.

ALSO IN Norfolk, another organization raised its head to announce that it was ready to operate private schools as soon as public schools were closed. State law provides for the immediate closing of any school which is integrated.

The new group is the Tidewater Educational Foundation which plans to use churches, schools in adjacent counties

County school 8 board chairman Robert A. Peck indicated that the seven children have not actually applied for admittance to the schools. He cited their failure to sign state pupil placement forms. (Arlington, remember, is one of the communities in which the placement forms have been outlawed by federal court order).

The students have, however, sent letters requesting admission. Mr. Peck said that whether or not the letters constitute valid applications is a question for lawyers to decide.

MEANWHILE, OPPOSITION continued to grow against the state's massive resistance to the Supreme Court policy.

O. Glenn Stahl president of the 700-member Arlington Committee to Preserve Public Schools, said a recent conference with the governor was useless. He declared:

"We are not trying to fight the state on what it is ultimately trying to do—stave off segregation — but we don't want Virginia to close the schools even if it means some desegregation."

The 37 various groups which united into the Arlington Civic Federation also went on record in favor of open schools.

The American Legue of Women Voters urged county officials to keep the schools open.

Twenty-six of 39 city PTA's oppose the school-closing policy. Twenty-eight protestant ministers opposed the plan to poseuse churches as private schools. They labeled the idea: "a means of evading or circumvent the Supreme Court decision."

14d(1) 1958

VIRGINIA

VIRGINIA TEST OF RACIAL LAWS SET FOR NOVEMBER 24, 1958

Virginia Test Of Racial Laws Set for Nov. 24

Tuition, Cut-Off Of Funds, School Closings Affected

Evening Star
Washington D.C.
Wed.
10-15-58
D1

A suit initiated by Virginia to test its own anti-integration laws will be heard by the State Supreme Court of Appeals on November 24.

The date was announced today after attorneys involved in the case agreed on how much time would be required to prepare their cases.

Outcome of the suit is being awaited by State leaders before calling for any change of direction in the school segregation fight, which to date has seen nine public schools closed to avoid integration.

Involved in the litigation are the tuition grant law, which proposes to pay tuition grants for private schooling of students where schools are closed or integrated; the fund cut-off, which withholds State school funds from any locality that integrates; and the school closing law, which has locked nearly 13,000 students out of class.

By arranging for a comparatively early date, the State indicated the test case was not going to be a foot-dragging affair devised to stave off Federal court action on the massive resistance laws.

Five New Developments

Concern over the lengthening school shutdowns brought these other developments:

1. State Senator Mills E. Godwin of Suffolk, a leader of the massive resistance movement and a stalwart in the State Democratic organization, declared that Negro schools might be closed where white schools are shut down.

2. The Norfolk City Council and School Board appeared to be split over a proposal to ask Gov. Almond for return of the six schools closed in that city.

3. Three Norfolk legislators said they hoped Gov. Almond would chart a new course soon in the school crisis.

4. Parents operating private emergency classes in Charlottesville awaited a decision from Negro students whether they would apply to enter those classes. Private classes were to continue in the meantime.

5. A private school group at Front Royal announced plans to use $175,000 to hire teachers for private classes there.

Speaks for Suffolk

Senator Godwin suggested the possible closing of Negro schools in a speech before the Suffolk Business and Professional Women's Club, the Associated Press reported.

"While I do not believe in retaliation, nor do I have a vindictive attitude," said Mr. Godwin, "I would point out that every public school now being operated in Warren County, Charlottesville and Norfolk is directly under the control of local school boards."

These boards, he said, may close schools at will and thereby see to it that those who have been responsible for the interruption of public education for white children "would receive colored children to withdraw their applications."

In a related separate development, School Supt. J. J. Brewbaker said that if schools remained closed for more than two additional weeks, it will be impossible to get in a full 180-day school year by June 30. State law requires 180 days of instruction.

Extension past June 30, Mr. Brewbaker said, would conflict with scheduled summer school classes of which a large enrollment is anticipated.

3 Back New Steps

Three State legislators said yesterday they hope Gov. Almond will take new steps soon in the school crisis. However, they said they oppose a special General Assembly session unless Gov. Almond has specific proposals to place before the lawmakers.

The three who expressed their views were Norfolk Delegates Toy D. Savage, James W. Roberts and Delamater Davis.

Recalling that the Norfolk legislators from the outset had favored local option over massive resistance, Mr. Savage said the people of each locality "ought to have a voice in what happens to their own schools."

A decision on whether Negroes will apply for admission to emergency private schools in Charlottesville is expected later in the week.

A spokesman for the NAACP said the decision might be reached tomorrow or Friday.

Federal Judge John Paul's order that public school teachers cannot serve in the emergency private schools unless integration is allowed went into effect today.

Teachers of Lane High School and Venable Elementary School, both closed under the massive resistance laws, met yesterday to talk over the situation.

Teachers Continue

William I. Nickels, jr., principal of Lane, said his faculty had agreed to "continue as we have been."

The teachers have been conducting classes in the Elks' Club, six churches, the Albermarle Hotel and other locations, under the direction of the Emergency Joint High School Committee.

D. Mott Robertson, principal of Venable, said his teachers had passed no resolution, but that "it was apparent that the teachers intended to co-operate with the private groups with which they are associated as long as it is legally possible to do so."

Many of the Venable teachers have been holding elementary classes in basement game rooms in 15 homes under a program set up by the Parents Committee for Emergency Schooling. The parents committee says it plans to disband when schools open, integrated or not.

Other Venable teachers have been serving under the Charlottesville Education Foundation, which plans to continue as a private school if the public schools are integrated.

Fund Drive Planned

William M. Pope, head of the foundation, said his group plans to start a fund drive to help support its program.

Mr. Pope said the foundation already has received $7,000 in unsolicited donations. No goal has been set in the drive, he said, noting that it will take about $5,000 a month to run the same treatment in their own pursuit of public education.

Evening Star
Wed.
10-15-58

Indications of a split between the council and school board in Norfolk came at a council meeting.

Mayor Fred W. Duckworth told the parents of displaced children yesterday that even if the school board passes a resolution asking return of the closed schools we (on the council) probably would turn it down without a referendum" beforehand to obtain voters' sentiment.

At least four of the six school board members already have stated publicly they want the affected schools, with an enrollment of 10,000, reopened even if they have to be integrated.

Four Favor Reopening

The board, acting under a Federal Court order, enrolled 17 Negroes in the six schools on September 27. This automatically set off a State law, designated as "Chapter 68," closing the schools.

The same law, however, says the Governor can return the schools to a locality if its school board and governing body so requests. He does not have to.

"Why don't you go to the Governor?" Mayor Duckworth asked Mrs. Howard Gibbs, spokesman for a committee of affected parents who presented a petition with 1,058 names.

"We are going to the Governor," Mrs. Gibbs shot back.

At yesterday's council session, Mayor Duckworth told Mrs. Gibbs, "if the school board passes such a resolution, we would consider the matter and we probably would turn it down without a referendum."

$60 Per Pupil

"It should be made perfectly clear," added Councilman George R. Abbott, "that if the schools are reopened (integrated) each child would have to pay at least $60 a year to make up for the State funds we would lose. We just haven't got the money to operate the schools."

Miss Mary D. Johnson, immediate past president of the Norfolk Education Association, told the council, "I've been a teacher here for 35 years. With the shortage of teachers everywhere, I could get a job somewhere else, but I want to stay here."

"There's nothing we can do," Mayor Duckworth told her. "The schools are entirely in the hands of the Governor. The smart thing to do is to go directly to the Governor."

Mayor Duckworth took note of some criticism of plans to hold the advisory referendum the week of November 10 on the question of reopening the schools—if the Governor will allow that. Only qualified voters could participate, however.

"Gov Almond, Mayor Duckworth said, "was elected by an overwhelming majority in the State and by a sizable majority here to do just what he has done. The only thing I think would impress them is a vote the other way (for open integrated schools) by the same qualified voters who elected him."

Repeats Statement

The mayor said he had been criticized for an earlier statement but would repeat it again. "I don't know of anything you can do to get those schools open, but to get the the foundation on a strictly private basis.

The school board has told the emergency schools that it would withdraw public school teachers from the emergency schools unless Negroes were allowed admission.

Kasper in Charlottesville

John Kasper meanwhile arrived in Charlottesville yesterday advocating abolishment of the public schools throughout the country.

Kasper, a segregationist who goes on trial in six weeks in Nashville, Tenn., on charges of inciting a riot, said he would start his school program in Virginia "the latter part of this week."

Kasper, who said he was "just passing through" the city, said the move to abolish schools in the State would be directed toward action by the General Assembly.

Duncan C. Gibb, president of the Warren County Educational Foundation, said approximately $175,000 would be needed to conduct [illegible] school for the remainder of the year. He said about $7,000 is now on hand, including $12,000 received from the Virginia Education [illegible] which is raising [illegible] private [illegible]

14d(1) 1958

VIRGINIA

RICHMOND

COURT PONDERS REJECTION OF 50

Hears Norfolk School Authorities Cite Tensions

P6

Times Picayune

New Orleans La.

Sat 8-23-58

NORFOLK, Va. (AP) — City school authorities have conceded that four Negro students met all requirements for transfer to white schools and would have been admitted if [illegible].

They testified in a packed federal district courtroom, however, that admission of the four to white schools in the Norview section of the city would aggravate racial tensions already existing there and would not be in the best interest of the Negro students.

The school officials took the stand as federal district Judge Walter E. Hoffman began consideration of petitions by 50 Negro students whose applications to white schools were rejected by the school board earlier this week. The Negroes have asked Hoffman to direct the school board to admit them to the white schools for which they applied.

Plaintiffs contend the school board's pupil assignment plan, devised after Hoffman ordered Norfolk schools desegregated this fall, is invalid.

Counsel for the school board told Hoffman at the afternoon session an injunction issued by two justices of the state supreme court prevented the board from carrying out its assignment plan.

Hoffman said if the school board reconsiders its denial of petitions by the Negro pupils and indicates to him that one or more applicants are entitled to admission to white schools, he would then take appropriate action on the injunction. Hoffman told counsel for the school board he could seek modification or dissolution of the injunction.

At present, said Hoffman, no infringement of constitutional rights has resulted from the injunction, unless it restrains the school board from even considering assignments.

To expedite the proceedings, opposing counsel late Thursday agreed to begin arguments Friday afternoon on five points suggested by the judge. Hoffman said that after the points are argued he could then consider whether the pupils' applications may be referred back to the school board, together with instructions from Hoffman for further consideration.

JUSTICE WHITTAKER
Appeal By NAACP

BULLETIN

Montgomery Advertiser

NORFOLK, Va. (AP)—Federal District Judge Walter E. Hoffman said Friday night that if the U.S. Supreme Court permits a 2½-year delay in the integration of a Little Rock school, he will not desegregate Norfolk schools.

Montgomery Ala

Hoffman told Norfolk City Atty. Leonard H. Davis that if the Supreme Court upholds District Judge Harry Lemley's cooling off period at Little Rock's Central High School, "come back to see me and I'll end all your troubles."

Sat 8-23-58

P.1

If the U.S. 8th Circuit Court of appeals had not sustained Lemley's delay order, Hoffman told Davis, "you would not be arguing this case now because I had made up my mind to stop all proceedings.

Norfolk Board Faces Pressure

Commercial Appeal

Judge Orders Reconsideration Of Rejected Students

MUST REPORT BY FRIDAY

P.3

By United Press International

NORFOLK, Va., Aug. 25. — District Judge Walter E. Hoffman Monday ordered the Norfolk School Board to reconsider all 151 Negro applications for white schools it rejected last week.

Memphis Tenn.

Judge Hoffman specifically held that some of the board's reasons for turning down the applications were unconstitutional. But he said the board acted within the law in rejecting others.

He asked the board to report on the second round of deliberations on the applications by 10 a.m. Friday.

Tues. 8-26-58

Judge Hoffman told School Board attorneys they could appeal from his statement of "remarks." A board attorney said no decision has been made as to an appeal which would not delay the effect of his remarks unless he or a higher court granted a stay pending outcome of the appeal.

Board In Jury Box

In a 17-page statement read before a packed courtroom, Judge Hoffman told board members as they sat in the jury box, he was not ordering them to "admit any specific (Negro) child."

However, he told the board to "adhere to the principles of law which I have stated."

The effect of his remarks was to put heavy pressure on the board to admit between 12 and 30 Negro students to white schools for the September term or face the possibility of contempt charges.

Judge Hoffman made no mention of contempt in his remarks Monday, but said last week if the board "flagrantly violated" his interpretation of the law it would face contempt.

The board rejected the children despite an order by Judge Hoffman to desegregate schools with the openings of the new term in September.

A Virginia law would close any public school that integrates, but Judge Hoffman said this was not ground to deny Negroes admission to white schools.

Could Refuse 63

He held the board could not deny Negro children admission to white schools solely because it feared their admission would cause racial tension. The board's statement last week said 24 of the students were denied for this reason.

Judge Hoffman also held the board could not reject Negro children solely on ground they would feel "unwanted by the group" and suffer psychologically from being "isolated" in white schools. The board's statement said four students were rejected for this reason.

However, Judge Hoffman said the board could legally deny admission to white schools to any Negro children who refuse to submit to tests and interviews under Norfolk's pupil assignment plan. The board rejected 63 such applications of children who boycotted tests and interviews.

Norfolk, Va., School Board Rejects 151 Negro Students Seeking Entry

By LON K. SAVAGE

NORFOLK, Va. — (UPI) —The Norfolk school board Monday night rejected the applications of all 151 Negro students seeking to integrate white schools here.

NAACP attorneys were expected to ask U.S. District Judge Walter E. Hoffman to review the rejected applications as soon as possible — probably this week.

Call

Warns Board

Fri. 8-22-58

Five hours before the board announced it had turned down the applications Monday, Hoffman warned its members "if they flagrantly violated" his school desegregation edict "they are in contempt of this court — even if they do nothing."

Kansas City

Hoffman made the contempt warning in a hearing on the validity of a local assignment plan set up by the school board to cope with integration requests. He called for further briefs on the plan and promised a ruling on its legality by the opening of schools Sept. 8.

Mo.

P. 4

The school board, which met at Hoffman's direction, issued a 600-word resolution explaining why it had rejected the Negro applicants.

The board, caught between Hoffman's desegregation edict and a state law that would automatically close any integrated public school, said it had "attempted to approach the problem from the standpoint of sound education."

Of the 151 students, the board said 61 were turned down because they refused to submit to tests prescribed by the assignment plan; one was rejected because he declined to be interviewed by school authorities and another withdrew his application for transfer to a white school.

Sixty others, the board said, were "clearly unsuitable for the assignment requested. The vast majority failed to meet the minimum scholastic requirements."

Of the remaining 28, four "would receive no educational benefits from the requested assignments" and the other 24 were rejected because "it is not in the best interests of the applicants nor of the present students to grant such petitions."

Grants Injunction

While the school board was meeting, two Virginia Supreme court justices granted an injunction restraining the Norfolk school board from making any student assignments until after Oct. 15. The injunction, which was rejected last week by a Norfolk circuit judge, was requested by a Richmond attorney, Lewis F. Pendleton Jr., on behalf of a Norfolk white couple who contended the board's assignment plan violated the state's anti-integration pupil placement act.

Norfolk Judge Calls Lack of Scholarship Valid Negro Barrier

Racial Tension And 'Isolation' Are Ruled Out

Post Times Herald

Washington

Sat. 8-23-58

P.D 1

By Robert E. L. Baker
Staff Reporter

NORFOLK, Va.—Aug. 22 Federal District Judge Walter E. Hoffman indicated today that he believes the lack of scholastic achievement is a valid reason for rejecting the application of Negroes to enter white schools, but that racial tension and "isolation" are not.

In the second day of hearings, on the complaints of 50 Negro pupils who were barred from white schools by the Norfolk School Board, Hoffman said:

"I hope the children who did not meet the academic standards do not expect to go to a white school this fall."

Academic Deficiency

The School Board listed academic deficiency as the reason for the rejection of 26 of the 50 complaintants.

Twelve other Negroes were found academically qualified by the board but were rejected because their presence, the Board said, would cause racial tension harmful to them and the white students.

Three pupils, also academically qualified, were rejected because they would be alone in white schols and would become isolated with resulting harmful effects, the board said.

Hoffman said the School Board conscientiously thought of the best interests of the Negroes in rejecting them for racial tension and isolation reasons,

"In doin[illegible] you have [illegible]ly disregarded the Supr[illegible] Court decision."

Superintendent's Idea

School Superintendent J. J. Brewbaker said he thought the best way to comply with the Supreme Court decision and Hoffman's desegregation order was to select carefully five or six Negroes for white schols with little tension, and to pdepare the community to accept integration.

Under sharp questioning by Hoffman, Brewbaker admitted he didn't have the authority to launch such a plan—apparently referring to the State's "massive resistance" program against school desegregation.

One State law requires the closing of integrated schols.

"Compliance is the key to whether I must exercise the process of contempt," said Hoffman. "What I wonder is when you and the School Board will start complying with the law?"

'Mighty Late'

Brewbaker asked what the Judge would do if the School Board now were to come in with a gradual plan of desegregation.

"You're mighty late to come in at this stage of the game," replied Hoffman who ordered desegregation here in February, 1957.

The Judge asked Brewbaker about the Negroes rejected because they would be isolated.

"After racial tension subsides, would a Negro child who is academically qualified be any different from a Chinese child or a Filipino who now attends a white school?"

"No," said Brewbaker.

'Isolation Theory'

"Then the isolation theory is applicable now because of the racial tension theory," said Hoffman.

Thomas H. Henderson, Negro psychologist and Dean of Virginia Union University, testified that Negro children may find themselves isolated in white schools but this would result in a greater motivation to make good.

"These children expect to be isolated," he said, and the shock will not be great."

Arguments also were concluded today on the one Negro pupil rejected because of geographical considerations, and of eight turned down because a new school is being built in their neighborhood which will be ready for occupancy next year. But Hoffman didn't indicate how he felt about those reasons.

Ruling on Monday

The judge will tell the School Board on Monday which criteria they used are valid and which are not. The board turned down all 151 applicants, including 63 who did not submit to tests and interviews. Of the 88 who took the tests, 30 have appealed to the judge and others have until Wednesday to complain.

The case is significant for two reasons. In the first place, Hoffman by his ruling will establish legal criteria for local pupil assignment programs which may be used by school boards in desegregation.

Avoids State Policy

Secondly, he is managing to avoid the state's unofficial policy of forcing Federal judges to end segregation cases by themselves assigning Negro children to white schools — thus putting the blame for any desegregation on the Federal judiciary.

Hoffman has repeatedly said he will not assign students, that being the School Board's job. But bp judging the criteria used by the School Board in rejecting the Negroes and by charging the board to reconsider in the light of his ruling, Hoffman will put the School Board in the position either of desegregating the schools or facing contempt.

14d(1) 1958 VIRGINIA RICHMOND

NAACP Mum On Va. School Edict

RICHMOND, Va—UPI—NAACP attorneys would not say today whether they planned to appeal a Federal Court decision that added seven years to their 4-year-old fight to end segregation in the schools of Prince Edward County, Va.

U. S. District Judge Sterling Hutcheson ruled Monday that the county must comply with the Supreme Court's desegregation ruling of 1954 "at the beginning of the school year for 1965."

The decision was lauded by state officials while NAACP attorney Oliver W. Hill of Richmond issued only a terse "no comment" when asked his plans on a possible appeal.

Hill, representing Negro plaintiffs in the case, had asked Hutcheson to order the Virginia County to open its white schools to Negroes this September.

But Hutcheson, apparently following Judge Harry Lemley's order that postponed integration in Little Rock for 2½ years, said the "experience of other localities" led him to believe "that violence may be within the realm of probability if precipitate action is taken."

Defender

P. 12

Chicago Daily

Sat 8-16-58

Schemes hatched to stop Va. mixing

'Grammer' school, placement plans figure in developments

IN A NUTSHELL

- Virginia tug-of-war nearing climax.
- Segregation plans begin to show signs of strain.
- Schemes can't get around race angle in pupil assignment.
- Unity growing among colored plaintiffs; white opposition to "massive resistance" evident.

By CHESTER M. HAMPTON

RICHMOND, Va. —Segregationists' plans to evade fall desegregation of public schools began to show sings of strain last week — a far cry from the blustering confidence of last year's political campaign season.

Schemes to defy federal court orders grew progressively weaker and more far-fetched.

IN ARLINGTON: The Tenth District Educational Association, a subsidiary of the Defenders of State Sovereignty and Individual Liberties, showed off the fruit of its labors — the George Mason Grammar and Academic High School.

The Defenders' sign in front of the eight-room house spelled "grammar" with an "e" replacing the final "a"—"grammer."

THE ONLY building the organization has to back up its boast of being able to accommodate four thousand students, the two-story, frame and stucco house is located at 2043 Wilson Blvd. in Arlington.

SUPERINTENDING THE private school operation, which is to swing into action the moment the first Arlington school is desegregated in the fall, is a plumber, Jack Rathbone.

Current snags being encountered by the "system" are the absence of a faculty and the failure to comply with city zoning laws.

Mr. Rathbone said that he and three supervisors will select the faculty from among 70 teachers who have indicated their availability.

W. H. Kennedy, zoning administrator for the county, said that the Rathbone group had not secured permits for either occupancy or use of the building.

THAT THE "PRIVATE school" idea was far from unanimous was shown also last week when the Arlington League of Women Voters notified Gov. Almond that:

"We are convinced that our governing officials, whether county, state or federal, can and must solve this problem by methods other than the abandonment of our public schools.

"The school system was built by the labor of many years. If destroyed, it would take years to rebuild. Meanwhile irreparable damage would be done to our children and our community."

The League's stand was similar to the position taken earlier by the Arlington County Board.

* * *

IN CHARLOTTESVILLE: The School Board redistricted its elementary schools so that 15 of 20 colored students who have applied for entrance to formerly all-white schools will fall in the Jefferson School district.

Jefferson School is the only one for colored elementary pupils.

The redistricting, based on the city map, placed most of the colored residential area in the Jefferson district.

For the five colored students outside the district, a further plan has been announced.

They will have to pass a two-day achievement test this week, then submit to "interviews" next week by a five-member "screening committee."

This elaborate plan was evolved in response to the city attorney's opinion that school assignment, to meet court tests, would have to be made on some basis other than racial.

The "rub" in the Charlottesville case is that no students are required to go through the testing and interview procedures except those applying for entrance into schools occupied by pupils of another race.

* * *

IN RICHMOND: The city school board will duck the issue raised by the application of three colored students to the Nathaniel Bacon school.

The elementary school, presently all white, is in the next block from one of the applicants and but three blocks from the other two.

The school board resolved to refer the matter to the state Pupil Placement Board, which was given sweeping powers in school assignment matters by a special session of the state general assembly specifically dedicated to "massive resistance" to school integration.

The board made its decision on the advice of City Attorney J. Elliott Drinard.

He admitted that the Placement Act was not in "full force and effect."

Last fall, parents of 100 students won an injunction in the district court spoken of by the attorney.

The parents protested the provision of the law which required them to authorize the three-man placement board to assign their children to schools the board thought proper.

Following Judge Sterling Hutcheson's granting them a temporary injunction, the placement law no longer applied to colored students in the city. The board, however, still required the authorization of white parents.

OLIVER W. HILL, chief of the Virginia NAACP's legal staff, said of the board's decision to duck the issue:

"It's time that public officials begin to act with intelligence, integrity and realism to challenge this so-called policy of massive resistance and bring this matter to a head.

"I was hoping that the School Board would do what everybody knows has to be done and admit those children."

BOOKER T. BRADSHAW, only colored member of the Richmond School Board, said:

"Objectively and aside from any racial implications, it appears to me that there is a conflict between state and federal law. We are bound by our oath to uphold both the state and federal constitutions."

* * *

NORFOLK: In Norfolk, the school board adopted its own placement plan. This elaborate scheme has set up ten "standards and criteria" to be used in assigning pupils.

The adoption of the scheme came by way of a school board that "the school Board recognizes its duty to operate all school system with full regard for the proper interest of all pupils regardless of race or color."

As is Arlington, Charlottesville and Prince Edward County, Norfolk are under Federal Court order to desegregate its schools this fall.

The new "standards" to be used in assignment include:

Health and safety of the children; consideration of academic achievement, residence, physical and moral fitness, social adaptability, emotional adjustment and cultural background.

For good measure, Norfolk added a battery of tests (similar to the Charlottesville plan) to be administered as a last-ditch measure to students applying to schools attended by students of another race.

* * *

IN PRINCE EDWARD COUNTY: At the weekend, Prince Edward County authorities were still awaiting word from Federal District Judge Sterling Hutcheson on whether he would accept their proposal as a "start toward integration."

A two-day hearing was held last week to enable the judge to set a definite date for desegregation to start in Prince Edward County.

After hearing discussion from both sides, Judge Hutcheson took under advisement Prince Edward County lawyers' motion for an indefinite delay.

He promised an early decision on the school board's plan to hire "an experienced educator, skilled in race relations, to advise when and how to order desegregation into effect."

The motion was opposed by Oliver W. Hill and Spottswood R. Robinson 3rd.

They contended that time for hearing such motions was past—that the only consideration now before the court was to set a date for desegregation.

* * *

IN ASKING the court not to consider the arguments advanced by his opponents, Mr. Hill said:

"The study plan" is a resolution concocted by some lawyers to do nothing. It's the same old story, they ask the court to just please stall this off for another year and maybe next year we'll figure how to stall some more."

Of the state's school-closing provision, Mr. Hill said:

"If they close up the schools, that is not the responsibility of this court. This court cannot correct all the ignorance of the Commonwealth of Virginia with one decree."

In support of their statement of need for an expert (preferably from the University of Virginia) the school officials put Prince Edward County Sheriff James T. Clark on the stand who said:

"No one knows when the lid will blow off."

Board officials said white students were carrying switchblade knives and that the situation would be "worse than Little Rock."

* * *

"STALE-MATE" is about the only accurate summary of the present status quo in Virginia with neither side making any decisive gains.

There are, however, the indications that a good many white citizens are uneasy over the prospect of closed schools; that colored parents are gaining in strength and unity; and

Afro-American

P. 9

Baltimore

MD

Sat. 7-26-58

that the state has gone just about as far as it can go.

Perhaps the biggest blow to the segregationists will be their showing of "private school facilities" in Arlington.

Very few white Virginia parents will want to trade their modern, well-equipped, well-stafed, accredited public schools for eight-room frame houses where "grammer" is taught.

Almond Asked to Open Schools

Receives First Forma Plea for Norfolk

RICHMOND, Va. (AP)—Gov. J. Lindsay Almond Jr. Wednesday received the first formal request from a [illegible] locality that he reopen integration-closed public schools. His office indicated he would take [illegible] immediate action on the request from Norfolk.

A Norfolk city policeman, Sgt. L. A. Young, delivered the request early Wednesday afternoon to E. Griffith Dodson, clerk of the House of Delegates and keeper of the rolls of the Senate. Dodson transmitted the request immediately to Almond.

The resolution from the Norfolk city council asks the governor to reopen six closed schools immediately and operate them on a segregated basis under a 1956 Special Session Act of the General Assembly.

Whether the governor will ask Atty. Gen. A. S. Harrison Jr. for an opinion on the constitutionality of the law involved was not clear.

Almond has said he hopes to move soon to reopen the nine schools in the state which were closed because of integration. He declined to give details but the elimination of integrated grades may be considered.

Times Picayune
New Orleans
La.
Thurs
11-2-58
P.T.

14d(1) 1958 VIRGINIA RICHMOND

Virginia Board Asks Pupil-Placement Job

Fla Times-Union

Jacksonville, Fla

Thurs. 8-28-58

p 23

RICHMOND, Va., Aug. 27 (AP)—Virginia's pupil placement board suggested pointedly to the Charlottesville and Norfolk school boards today that it be handed the job of assigning public school pupils in the two cities.

The placementboard noted that under state law it alone is "charged with the enrollment or placement of pupils in Virginia's public schools.

And, it said, it is "ready and willing to place and assign pupils" in both cities if the school boards "will make available . . . the necessary information upon which it can act."

Thirty Negro pupils have applied for admission to white schools in Charlottesville and 151 for admission to white schools in Norfolk. Both cities have adopted local pupil assignment plans and have been proceeding—under the guns of federal court judges—toward the local assignment of pupils.

Both the Charlottesville and Norfolk school boards have been told, in effect, by U. S. District Court judges that they need not comply with the state pupil placement act, which vests sole authority for pupil placement in the three-member state board.

The significance of today's suggestion by the placement board was not immediately clear. Some sources at the state capitol saw it as a new maneuver designed to get the local school boards off the hook with the judges who have virtually directed them to assign some Negro pupils to white schools.

These same sources theorized that assumption by the placement board of all assignment powers in Charlottesville and Norfolk could lead to a brand new round of litigation to determine whether Virginia's placement act is constitutional.

The Norfolk School Board last week rejected the requests of all 151 Negro applicants for admission to white schools there. Subsequently U.S. District Court Judge Walter Hoffman directed the school board to reconsider its decision—in particular its rejection of 16 Negroes who qualified academically for transfer to white schools.

Norfolk School Board officials declined to comment on the suggestion of the state pupil placement board.

At Charlottesville, John S. Battle Jr., counsel for the school board, said the local board would certainly supply the state board with any information they seek. He added, however, "We still feel we have the responsibility of complying with the federal court order in making assignments." The Charlottesville school board has not yet made any assignments. U.S. District Court Judge John Paul has indicated that if it assigns no Negroes to white schools he will make such assignments himself.

Two State Supreme Court justices already have issued a temporary injunction, forbidding the Norfolk School Board from making any assignments, on grounds such assignment power belongs solely to the state.

With a threat of possible disturbances hanging over school openings, military-type steel helmets and riot sticks have been issued to Virginia state troopers

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Negro Pupils in Dixie Bar Placement Test

New York [illegible]

Associated Press

New York, N.Y.

Tues. 8-12-58

P 3

RICHMOND, Va., Aug. 12.—Parents of Negro children seeking admission to county white schools say their children will boycott interviews by the Virginia Pupil Placement Board.

This was the late-hour decision announced last night as developments came at a rapid pace during the day on Virginia's school segregation battleground. The interviews are scheduled today and tomorrow for the 31 Arlington County Negro children. Classes resume in about three weeks.

In a federal court at Harrisonburg just a few hours before the Arlington announcement, Judge John Paul ruled that Negro children seeking transfers to Charlottesville white schools must submit to "reasonable tests" to determine their proper grade level.

VIRGINIA SCHOOL DECISION NEARS

Times-Picayune

Must Accept Federal Orders or Close Doors

P 4

By ED YOUNG

New Orleans

Sun. 8-31-58

RICHMOND, Va. (AP)—Virginia arrives this week at the time of decision when it must obey federal court decrees and integrate some of its public schools—or close them.

Barring unforseen delays, the choice will be made first on Thursday, when schools open in Arlington, a northern Virginia suburb of Washington.

On Sept. 8, the same choice will have to be made in Norfolk. On Sept. 15 it must be made in Charlottesville. Both cities, like Arlington, are under the guns of federal judges to end school segregation this fall.

There is no question what the choice will be, should the state find it impossible any longer to forestall the enrollment of even one Negro child in even one white school.

MUST CLOSE, SAYS LAW

The white school in which a Negro is enrolled will close State law says it must.

Should it become apparent beforehand that there is no way to keep the Negro out, the school will never open.

School closure is the final alternative Virginia has left for itself in its long, complex, confusing legal war to avoid compliance with the 1954 U.S. supreme court desegregation decision.

After closure—if and when it comes—then what?

State law provides that Gov. J. Lindsay Almond Jr. must attempt to "reorganize" a closed school so that it may be reopened on a segregated basis.

TO TRY PERSUASION

There will be efforts to persuade Negro students to withdraw. If such persuasion fails, the grades in which they are enrolled may simply be eliminated, the pupils reassigned to other segregated schools, and the affected school reopened or a segregated basis.

Should all expedients fail, the school will remain closed. State money for its operation will be cut off from the locality. State-financed "tuition grants" will become available to pupils for private school education.

Then, presumably, white citizen groups with loosely knit plans for the use of homes, churches and business establishments for private schools will be galvanized into action.

ARLINGTON ORDER

U.S. district Judge Albert Bryan last year directed the Arlington school board to admit seven Negroes to white schools—and named the students. Five of the seven still intend to enter white schools next Thursday.

In Norfolk, the city school board told U.S. district Judge Walter E. Hoffman Friday it is prepared to enroll 17 Negroes in white schools this fall under a local pupil assignment plan. At the same time the board asked Hoffman to permit a delay in such enrollment until September, 1959, to prepare Norfolk citizens for such "profound changes."

Hoffman indicated he would reject the plea for delay unless the U.S. supreme court after arguments starting Sept. 11, gives Little Rock, Ark., a 2½-year delay in the integration of Little Rock Central High school.

U.S. COURT ULTIMATUM

Charlottesville also has a local assignment plan and is under a virtual ultimatum from U.S. district Judge John Paul to assign some Negroes to its white schools, but as yet has made no assignments.

The Charlottesville school board earlier this week postponed the opening of its schools from Sept. 2 to Sept. 15 while it studies its position.

Both Norfolk and Charlottesville have been enjoined by state courts from assigning any pupils at all to any schools, white or Negro. The injunctions were granted on grounds state law vests all authority for pupil assignment anywhere in the state in a three-member state pupil placement board.

No action against the two school boards for violation of the injunctions is anticipated until both act formally to assign Negroes to white schools.

'No Surrender' Cry Sounded by Byrd

BERRYVILLE, Va. (AP)—Sen. Harry F. Byrd (D-Va) sounded a no surrender battle cry Saturday in Virginia's fight against school integration.

At the same time, he said he hoped there wouldn't be any violence or riots as the state approaches the showdown stage in the school fight.

"Let our resistence be fortified by the belief that we are fighting to preserve the fundamental principles of our constitutional democracy," Byrd said.

BLASTS 'WARREN COURT'

Byrd, lashing out time after time against "The Warren Court," said in a speech prepared for his annual apple orchard picnic that "we in Virginia face days of stress and strain, and the eyes of the world will be upon us."

"For just and proper reasons," he added, "the governor and the General Assembly of Virginia, carrying out the expressed will of our people after due deliberation, are refusing to obey an illegal decision of the Warren Court."

Virginia officials have adopted Byrd's policy of massive resistance to the Supreme Court's 1954 decision declaring racially segregated public schools to be unconstitutional.

CITES CLOSING LAW

In his speech defending this policy, Byrd observed that a whole new set of laws have been enacted by the state legislature to resist the court's ruling, including authority to close any school which has mixed classes.

Virginia faces a showdown this fall with white schools in Norfolk, Charlottesville and Arlington County under court orders to admit Negro students next month.

Boards Stall School Start In Virginia

Advertiser

p 1

Arlington, Norfolk Await Court Rulings On Racial Litigation

Montgomery

Ala

Wed. 9-3-58

RICHMOND, Va. (AP) — Local school opening postponements were ordered in Norfolk and Arlington Tuesday as Virginia law and federal authority neared the collision point on the issue of public school segregation.

The Norfolk School Board in a special session deferred the scheduled Sept. 8 opening until Sept. 22. The action followed that of the Arlington School Board which put off the Thursday opening date until next Monday.

Charlottesville, where schools were to open Tuesday, previously deferred the date to Sept. 15.

SCHOOL TERMS

The delay in Norfolk and Charlottesville will put back the start of the September school terms until after the Supreme Court is expected to act in the contested suspension of the Little Rock school desegregation order. The Arlington delay is for the purpose of obtaining a ruling from Judge Albert V. Bryan on whether the metropolitan county south of the nation's capital must admit 30 Negroes to presently all-white schools.

In other developments on the state's critical school front:

1. Gov. J. Lindsay Almond Jr. disclosed he has had the forms prepared which will inform local school authorities when the school closing law has gone into effect because of a final un-appealable federal court order to desegregate. He noted that the closing act is automatic and the governor does not have to inform school authorities affected. The governor also told his nes conference the state's amended Central Pupil Placement Act is not a defense

against integration. He disclosed, too, he had rejected suggestions that the state utilize the placement act as a platform for the interposition of its police power against the authority of the federal government.

Advertiser

1/4. Federal Judge Sterling Hutcheson received a formal request from an NAACP attorney to order the admission of six Negro pupils to presently all white schools in Richmaond. There was no possibility the matter would be adjudicated in time for the opening of Richmond schools next week.

Wed.
9-3-58

3. Charlottesville's new mayor, Thomas J. Michie, told residents of the city to be prepared to swallow a bitter pill — integration of schools — in a manner becoming to good citizens. He said the city will not tolerate agitators from inside or outside the city who might resort to physical violence in an effor to block obedience to federal court orders.

ORIGINAL CASE

4. Prince Edward County's pubfive school systems in the original case before the Supreme Court incident on its usual basis of complete segregation. Judge Hutcheson recently approved a delay of seven years or more before the county must begin integrating its class rooms.

5. Not one of the 27 Negro applicants to white schools in Warren County showed up when the schools opened Tuesday for the term. Parents of six of the children disclosed they had withdrawn from a federal desegregation suit filed by NAACP attorneys.

Virginia 'Mixing' at Showdown

Herald
P. 6A

RICHMOND, Va. — (AP) — Virginia arrives this week at the time of decision when it must obey Federal Court decrees and integrate some of its public schools—or close them.

Barring unforeseen delays, the choice will be made first Thursday, when schools open in Arlington, a northern Virginia suburb of Washington.

Sept. 4 the same choice will have to be made in Norfolk. Sept. 15 it must be made in Charlottesville. Both cities, like Arlington, are under the guns of federal judges to end school segregation this fall.

Sun. 8-31-58

There is no question what the choice will be, should the state find it impossible any longer to forestall the enrollmen of even one Negro child in even one white school.

The white school in which a Negro is enrolled will close. State law says it must.

Should it become apparent beforehand that there is no way to keep the Negro out the school will never open.

Miami
Fla.

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After closure — if and when it comes — then what?

State law provides that Gov. J. Lindsay Almond Jr. must first attempt to "reorganize" a closed school so that it may be reopened on a segregated basis.

There will be efforts to persuade Negro students to withdraw. If such persuasion fails, the grades in which they are enrolled may simply be eliminated, the pupils reassigned to other segregated schools, and the affected school reopened on a segregated basis.

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Negroes Boycott Interview Held For Arlington

Montgomery
Advertiser
Montgomery, Ala.

RICHMOND, Va. (AP) — Arlington Negro pupils who boycotted Tuesday's pupil placement board interviews will get another chance Monday and Tuesday of next week—with representatives of the Arlington school board also present.

Thurs. 8-14-58

Letters went out from the placement board advising the 32 Negro applicants for admission to white schools of the rescheduled interviews.

P. 7

They were advised also that school board representatives would be present. No one from the school board was present at Tuesday's interviews, attended by one white woman and her 12-year-old daughter.

Negro parents of the Arlington children have indicated they would submit to procedures set up by the school board but would boycott those of the placement board.

Virginia Faces Showdown In School Segregation

RICHMOND, Va. (AP) — September . . . and showdown in Virginia!

Kids tripping back to school. . . and in Virginia an added something: showdown on school segregation.

News & Observer

Will Virginians choose no public schools? State law could close some of the schools in four communities ordered by federal courts to integrate next month.

P. 10

Or will Virginians accept token mixing of Negro and white children? The time seems near when they must stand up and be counted.

Raleigh, N.C.

The South will be watching. Virginia is an island of resistance. The states that touch its borders have given in, a little, to the Supreme Court's 1954 desegregation decision.

Sun. 8-17-58

But Virginia flaunts the phrase coined by its unquestioned political leader, Sen. Harry F. Byrd. That phrase is "massive resistance."

"Massive resistance" means not a single Negro child in a white school. It means every legal maneuver, device, delay, obstruction, that can be found to evade compliance, in spirit or in fact, with the Supreme Court decree.

It means a package of laws: That closes automatically any school integrated by court order; that cuts off state school funds from any district where a school is operated locally on an integrated basis; that even prohibits its local operation with local funds unless the governor gives his consent.

It is virtually certain this program will get the acid test in September. Federal district judges, after three years, seem weary of postponing their integration orders for interminable appeals to higher courts.

Five Virginia communities have been ordered by federal judges to desegregate their schools—Charlottesville, Norfolk, Newport News Prince Edward County and populous residential Arlington County across the Potomac River from Washington. All but Prince Edward must act this September.

Court orders in these localities are all more than two years old. Judges have held up their effective dates pending appeals to higher courts. Always their desegregation orders have been upheld by the U.S. 4th Circuit Court of Appeals and the Supreme Court.

Now even state leaders are pessimistic about getting further postponement. School board members stand liable for contempt of court if they fail to integrate their schools.

Gov. J. Lindsay Almond Jr., 60, white-haired, florid-faced, eloquent and quick-thinking, talks very tough. He considers his 2 to 1 election over moderate Republican Ted Dalton last fall a mandate from the people to stand firm against any break in the segregation dike.

Almond says over and over the state law will be upheld as long as it is on the books — any school integrated, by court order or otherwise, will close.

A "final, unappealable" order from a federal court naming a specific child to a given school will in itself close the school, the governor says. If it comes before September, the school simply will not open.

Almond eays he views with "grave alarm the possibility that federal judges would make the assignments themselves after schools open." He says he will act promptly in any situation to avoid public disturbances and he will not hesitate to use the police powers of the state to maintain order.

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their announced boycott, did not show up for the scheduled interviews Tuesday at the Virginia Placement board offices in Arlington. One white parent appears.

The white mother, accompanied by a daughter about 12 years old, refused to give her identity or talk with reporters.

A Placement board spokesman said she was one of two white parents who have applied for transfer of their children to colored schools in Arlington in an effort to bring about the closing of colored schools.

Under a law passed at the special session of the Virginia General Assembly in 1956, a school is automatically closed if a single colored child is admitted to a white school or if a single white child is admitted to a colored school.

14d(1) 1958 VIRGINIA RICHMOND

Spotlight On Old Dominion—

Birmingham Herald
Birmingham, Ala.
Thurs. 8-28-58

Virginia Readies For Switchover From Public To Private Schools

Integration-Threatened Counties Setting Stage, With State Also Busy

p. 27

BY JERRY BENNETT
For The Post-Herald

RICHMOND, Va.—Virginia segregationist leaders are mapping plans to switch from public to private education in case they lose their fight against integrating schools.

Already, Arlington, Norfolk, Prince Edward County and Charlottesville have incorporated groups to organize and operate private schools. And plans are taking shape in Richmond for a state-wide private educational system.

This action has been triggered by the Old Dominion's "massive resistance" laws, which call for closing any public school where both whites and Negroes enroll. Charlottesville, Arlington, Norfolk and Newport News are faced with federal court orders to integrate in September. Desegretion orders are expected to hit other Virginia cities in the future.

Spearheading plans for a private school system is the 19-man Coordinating Committee to Maintain Efficient Education in Virginia. Led by prominent Richmond Attorney Lewis S. Pendleton Jr., it has the job of pulling together the activities of local private education groups.

"I don't think any purpose is going to be served by having a rash of uncoordinated private schools," the 38-year-old Pendleton says. "I think we are going to have to come close to a system like we have now."

The educational system that Pendleton foresees calls for each Virginia locality establishing a private corporation to operate its schools. Pupils would pay for their education by state tuition grants.

Virginia law permits the state to give grants-in-aid to students enrolled in a school that shuts down to prevent integration. Here's how Pendleton believes the system's financial machinery would work.

Pupils would apply to an agency designated to handle tuition and credit. They would turn over grants for letters of eligibility these documents to authorities of the private school that they decided to attend.

The school officials would then compile a complete list of the pupils and send it to the tuition grant organization. This agency would add up the amount of money due all children in each district and send it in a lump sum to the school.

Each corporation would have a board of directors that would be comparable to present school boards and would have the power to hire teachers, Pendleton says. He explains that instructors would be eligible for benefits under the state's regular private school teacher retirement plan.

The attorney believes that many of the public school superintendents would have a hard time switching over to the private schools. He explains that many have taken stands in the integration controversy that have made them unpopular with pro-private school groups.

Pendleton, who is also chief of Richmond's pro-segregation Defenders of State Sovereignty and Individual Liberties, says that each corporation would be able to decide for itself whether it wanted to mix white and Negro pupils.

"We don't object to integration on a private basis," he explains. "Whether or not a school was integrated would be strictly a private matter."

It's reported, however, that no comparable efforts for private school education have been made by Negro leaders. Pendleton says of this situation:

"I personally think that it will be tragic morally, socially, politically and economically if the colored children aren't cared for."

State Defender President Bob Crawford agrees: "We Virginians are just as interested in educating Negro children as whites," he declares.

Crawford believes that the white and Negro leaders will be able to work together to devise a plan for Negro education. Pendleton explains that nothing in the present school corporation charters prohibit these groups from providing education for Negroes as well as whites.

Overseeig the operation of the corporations, Pendleton explains, would be a central committee that would make sure the school's curricula measured up to college entrance requirements. It could also give the corporations financial advice, he says.

Pendleton emphasized that his ideas for a private school plan are just speculation. In fact, he thinks that it will be some time before any of the public schools are forced to close. He explains that Virginia probably has enough legal ammunition left to delay integration for at least a year or even longer.

Segregationists in Norfolk, Charlottesville and Arlington, however, aren't taking any chances. Private education groups in these cities are earmarking homes, churches, Sunday schools and empty buildings for temporary classroom use in case any schools shut down in September. They are also recruiting teachers and raising funds to help finance the schools' operation.

Prince Edward County has also been working on a private school plan, but a federal judge recently decided that the county did not have to integrate until 1965.

OPEN
GEORGE MASON CHAPMAN
HIGH SCHOOL
NEA

THIS BUILDING is earmarked for use as a private school if Arlington's public schools are closed next month. The "school" was opened on a tryout basis this Summer.

JUDGE LAWRENCE I'ANSON

I'Anson Is Appointd To Virginia High Court

Star
p. B3
Washington D.C.
Tues. 8-26-58

RICHMOND, Aug. 26 (AP).—Gov. Almond yesterday appointed Judge Lawrence W. I'Aneson of Portsmouth to the Virginia Supreme Court of Appeals.

Justice I'Anson fills a vacancy created by the recent death of Chief Justice Edward W. Hudgins of Chase City, whose term runs to February 1, 1966.

The interim appointment is for the period extending 30 days after the convening of the next session of the General Assembly, which will elect for the remainder of the unexpired term.

Justice I'Anson was one of three nominees recommended to the Governor by a committee of the Virginia Bar Association. He has been judge of Portsmouth Hustings Court for the last 17 years. Prior to that he served as city commonwealth's attorney for 3½ years.

Virginia Defines Rules For Private Tuition Fees

Star
P.A 16
Washington D.C.
Sat. 8-30-58

RICHMOND, Aug. 30 (AP).—The State Education Board yesterday adopted regulations for the payment of State tuition grans to children atending privae, non-secarian schools—a link in Virginia's chair of massive resisace to school integration.

The grants would be available to parents if the public schools in their locality are closed by integration or are operated by the locality on an integrated basis.

Also adopted were minimum standards the private schools must meet for children attending them to be eligible for the grants.

The tuition grants would be equal to the amount spent by localities in the preceding school year for the per pupil cost of operation. J. G. Blount, fiscal director of the State Department of Education, said this cost on a State-wide basis was roughly $[illegible]00 last year.

Four Conditions Set

Tuition grants would be available to parents if:

1. All schools in a locality are closed and the Governor has exhausted all efforts to reopen the schools on a segregated basis.

2. One or more schools or parts thereof are closed and the Governor has not been able to repoen them on a segregated basis.

3. A child is assigned to at-his parents object to his attend an integrated school and tending.

4. "Upon the direction of the Governor in the discharge of the responsibilities imposed upon him by law."

Payments would be made by the local school board on installments, the first payment when the parent submits evidence his child has been enrolled in a private non-sectarian school, the second at the end of the fourth month of the school term for which the grant was approved, and the third 30 days before the end of the school year.

Standards for Schools

The minimum requirements set up by the board the private schools must meet for pupils to receive the grants:

1. Teachers must establish their eligibilfty under the board's certification regulations.

2. The school's facilities must meet State health and safety regulations.

3. The school must have an enrollment of at least 20 pupils.

4. The school term must be at least 180 days long, the same as for public schools.

5. The length of the school day must be at least five hours.

6. As a minimum, the elementary school curriculum must include spelling, reading, writing, arithmetic, English, geography, health, drawing, civics, history of Virginia and of the United States. All these subjects are required for public elementary schools.

7. High school curriculum must, as a minimum, include four years of English, one year of mathematics, two years of history and government and one year of science. These are required in the public schools for graduation. In addition, elective credits must be offered to total 16 for graduation, the same as for public schools.

The board indicated it would consider making exceptions to its minimum standards.

LOCAL BOARDS ON SPOT

Montgomery Advertiser
Montgomery, Ala.

Virginia State Board Asks Job Of Assigning Pupils

Thurs. 8-28-58

RICHMOND, a. (AP)—Virginia's Pupil Placement Board suggested pointedly to the Charlottesville and Norfolk school boards Wednesday that it be handed the job of assigning public school pupils in the two cities.

P 21

The placement board noted that inder state law it alone is "charged with the enrollment or placement of pupils" in Virginia's public schools.

It said it is "ready and willing to place and assign pupils" in both cities if the school boards "will make available...the necessary information upon which it can act."

Thirty Negro pupils have applied for admission to white schools in Charlottesville and 151 for admission to white schools in Charlottesville and 151 for admission to white schools in Norfolk. Both cities have adopted local pupil assignment plans and have been proceeding—under the direction of the federal courts—toward the local assignment of pupils.

NEEDN'T COMPLY

Both the Charlottesville and Norfolk school boards have been Norfolk school boards have been told, in effect, by U.S. District Court judges that they need not comply with the State Pupil Placement Act, which vests sole authority for pupil placement in the three-member state board.

The significance of the suggestion by the placement board was not immediately clear. Some sources at the state Capitol saw it as a new maneuver designed to get the local school boards off the hook with the judges who have virtually directed them to assign ome Negro pupils to white schools.

These same sources theorized that assumption by the placement board of all assignment powers in Charlottesville and Norfolk could lead to a brand new round of litigation to determine whether Virginia's placement act is constitutional.

The Norfolk School Board last week rejected the requests of all 151 Negro applicants for admission to white schools there. Subsequently U.S. Dist. Judge Walter Hoffman directed the school board to reconsider its decision—in particular its rejection of 16 Negroes who qualified academically for transfer to white schools.

pp 7, 9

NO COMMENT

Norfolk School Board officials declined comment on the suggestion of the state Pupil Placement Board.

At Charlottesville, John S. Battle Jr., counsel for the school board, said the local board would certainly supply the state board with any information they seek. He added, however, "We still feel we have the responsibility of complying with the federal court order in making assignments.

The Charlottesville School Board has not yet made any assignments. U.S. Dist. Judge John Paul has indicated that if it assigns no Negroes to white schools he will make such assignments himself.

Two State Supreme Court justices already have issued a temporary injunction forbidding the Norfolk School Board from making any assignments, on grounds such assignment power belongs solely to the state. The school board replied to the injunction in Circuit Court Wednesday by denying that its assignment plan usurps the powers of the Pupil Placement Board.

A similar injunction will be sought in Charlottesville Corporation Court Thursday to prohibit the Charlottesville School Board from making assignments.

Showdown On Desegregation Awaits Virginia This Week

Advertiser
Sun. 8-31-58

RICHMOND, Va. (AP)—Virginia arrives this week at the time of decision when it must obey federal court decrees and integrate some of its public schools — or close them.

Barring unforeseen delays, the choice will be made first on Thursday, when schools open in Arlington, a northern Virginia suburb of Washington.

On Sept. 8, the same choice will have to be made in Norfolk. On Sept. 15 it must be made in Charlottesville. Both cities, like Arlington, are under the guns of federal judges to end school segregation this fall.

There is no question what the choice will be, should the state find it impossible any longer to forestall the enrollment of even one Negro child in even one white school.

The white school in which a Negro is enrolled will close. State law says it must.

Should it become apparent beforehand that there is no way to keep the Negro out, the school will never open.

School closure is the final alternative Virginia has left for itself in its long, complex, confusing legal war to avoid compliance with the 1954 U.S. Supreme Court desegregation decision.

After closure — if and when it comes—then what?

State law provides that Gov. J. Lindsay Almond Jr. must first attempt to reorganize a closed school so that it may be reopened on a segregated basis.

There will be efforts to persuade Negro students to withdraw. If such persuasion fails, the grades in which they are enrolled may simply be eliminated, the pupils reassigned to other segregated schools, and the affected school reopened on a segregated basis.

Should all expedients fail, the school will remain closed. State money for its operation will be cut off from the locality. State-financed tuition grants will become available to pupils for private school education.

14d(1) 1958

Virginia County Given 7 Years For Integration

Commercial Appeal

Federal Judge Fixes 1965 For Desegregation In Prince Edward

p. 1

DECISION IS HAILED

Memphis, Tenn.

But NAACP Remains Silent —Case Was One Of Original Four That Supreme Court Decided In 1954

By JAMES GEARY
Associated Press Staff

RICHMOND, Va., Aug. 4.—A Federal district judge—ordered by a higher court to fix a definite date for desegregation of schools in the "black belt" county of Prince Edward—Monday set September, 1965, as a tentative date.

Tues. 8-5-58

This seven-year delay granted by District Judge Sterling Hutcheson was hailed by Virginia political leaders as a victory. Negro attorneys declined to comment, but it appeared certain they would appeal.

National Association for the Advancement of Colored People attorneys for Negro parents in the case had asked for September of this year as a date for compliance with the Supreme Court's desegregation decree.

The Prince Edward case was one of five school segregation cases on which the Supreme Court based its historic 1954 decision calling separate schools unconstitutional. The case has been in Federal district court for implementation ever since.

Delay Is Flexible

Judge Hutcheson made it plain the period of delay he specified could be reduced or extended by him "in accordance with what may develop in the future."

Judge Hutcheson said he was fixing the date at 10 years from the 1955 decision by the Supreme Court in which it ordered compliance "with all deliberate speed" with its opinion of the preceding year.

Explaining his selection of 10 years, Judge Hutcheson noted the Athenian statesman, Solon, allowed 10 years for the people of Athens to digest the new code of laws he gave them; that the Reconstruction Period following the Civil War was about 12 years; and that the failure of prohibition in this country covered about 14 years.

Monday's ruling does not affect the scheduled integration of schools in three other Virginia localities — Arlington County, Charlottesville and Norfolk. However, Virginia's new segregation laws would close any schools that start mixed classes.

In Washington, Sen. Harry Byrd (D., Va.) said the seven-year delay was "very gratifying." Senator Byrd is regarded as the author of Virginia's program of "massive resistance" to school integration. Under state law, any school that is integrated is closed.

Judge From Same Section

Judge Hutcheson turned down the School Board's request that the issue of a date be continued indefinitely while an expert hired by the board survey the entire situation in the county and report conditions to the court.

Prince Edward County lies in the so-called "black belt" of southside Virginia where the percentage of Negro population is high. More than half of the school children in the county are Negro.

Judge Hutcheson comes from this same section of Virginia, Mecklenburg County. Although he keeps his private views to himself, segregationists consider him friendly to their views. He has said from the bench his chief concern is with the children of both races.

He is regarded as a patient and courteous judge.

VIRGINIA

Officials changing their tun

Afro-American

Baltimore Md.

By RUFUS WELLS

Sat 8-2-58

RICHMOND

With school opening just a few weeks off, Virginia's politicians are seeking a face-saving way out of the dead end street into which their massive resistance program has led them.

p. 5

No longer are the politicians shouting "never" when the word "integration" is mentioned. Today, they are more likely to say "maybe." Most politicians will admit, off the record, that a "little integration" in the Old Dominion is inevitable this fall.

Governor Almond still insists that integrated schools will be closed, according to state law. This makes it virtually certain that some schools will be closed in Norfolk, where the school board has decided to comply with a Federal Court order to desegregate.

* * *

IN NORFOLK, where 137 colored children have applied for admission to nine white schools, the school board adopted a local pupil assignment plan similar to ones adopted in other localities.

However, the school board made it clear that in the event of a conflict between the Federal Court's desegregation order and the state's pro-segregation laws, the Federal order would be obeyed.

At its meeting Thursday, the board admitted that "at least some of our schools are in danger of being closed."

But the Norfolk Board went a step further, to say that it would operate on an integrated basis, any closed school returned by the governor to local control. Such schools would be operated with the city carrying the full financial burden.

Charlottesville, also under a court order to desegregate, created a new school district for its colored elementary pupils. The district includes the homes of some 25 of the 31 colored applicants for admission to white schools.

The Charlottesville Chapter of the Virginia Council on Human Relations introduced a resolution before the city council urging the mayor and council to take steps to avoid violence in the event of school desegregation there.

Mayor R. M. Davis said later he was confident "our citizens will create no disturbance." He said Charlottesville citizens had been kept well-informed of developments concerning the possible desegregation of some public schools there.

The law and order committee of the local Charlottesville NAACP also asked council to take steps to avert trouble this fall.

NAACP President George Ferguson wrote to Mayor Davis requesting a meeting to discuss the matter. Mayor Davis answered saying he did not feel that such a meeting was necessary.

In Arlington, which is also under a court order to desegregate, County Manager A. T. Lundberg promised Saturday that every effort will be made to block any public disturbance during the impending school crisis.

Lunderg told the county board that the police department's planning for its role when school opening time comes in September "is being based on one premise — that we will maintain peace and order without fear or favor of anyone."

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7 YEAR DELAY

Virginia county gets until '65 to mix schools

Birmingham News

Birmingham Ala.

RICHMOND, Va., Aug. 4 — (AP) — Federal District Judge Sterling Hutcheson today ordered that Prince Edward County, Va., schools be desegregated by September, 1965, and that immediate steps toward a plan for such desegregation be undertaken.

Mon. 8-4-58

JUDGE HUTCHESON said in an opinion he would enter an order directing that the defendant county school board inform the court concerning progress on or before Jan. 1, 1959.

21

The Prince Edward school segregation case was one of the five original cases on which the Supreme Court's 1954 desegregation decision was based. Judge Hutcheson's action today is the result of a higher court's order to him to set a specific date for compliance with the Supreme Court decision.

HUTCHESON SAID the date for compliance with a previous injunction ordering desegregation with "all delibeate speed" would be 1965, "unless such order should be modified during the interval."

14d(1) 1958

VIRGINIA

7-Year Delay

VIRGINIA GETS 7-YEAR DELAY

Judge Sets 1965 Desegregation Date In Prince Edward County

Carolinian

p. 1

Tue 8-5-58

Raleigh N.C.

RICHMOND, Va. (AP)—A federal district judge ordered by a higher court to fix a definite date for desegregation of schools in the "black belt" county of Prince Edward—Monday set September 1965 as a tentative date.

This seven-year delay granted by U. S. District Judge Sterling Hutcheson was hailed by Virginia political leaders as a victory. Negro attorneys declined to comment.

National Assn. for the Advancement of Colored People attorneys for Negro parents in the case had asked for September of this year as a date for compliance with the Supreme Court's desegregation decree.

One of Five.

The Prince Edward case was one of five school segregation cases on which the Supreme Court based its historic 1954 decision calling separate schools unconstitutional. The case has been in Federal District Court for implementation ever since.

Judge Hutcheson made it plain the period of delay he specified could be reduced or extended by him "in accordance with what may develop in the future."

He said he was expressly reserving this flexibility "because of the uncertainty of conditions during the interval and the absence at this time of a sound basis" for the conclusion that conditions would stabilize in the years ahead.

While this puts off a showdown in the Prince Edward case, three other Virginia communities have been ordered to admit Negro children to white schools this September. They are Norfolk, Charlottesville and Arlington County a,populous residential area across the Potomac from Washington, D.C.

Hutcheson said he was fixing the date at 10 years from the 1955 Supreme Court decision in which it ordered compliance "with all deliberate speed" with its opinion of the preceding year.

Explanation.

Explaining his selection of 10 years, Hutcheson noted the Athenian statesman, Solon, allowed 10 years for the people of Athens to digest the new code of laws he gave them; that the reconstruction period following the Civil War was about 12 years, and that the failure of prohibition in this country covered about 14 years.

He said he would order the defendant school board to make "an immediate start in the necessary preliminary steps looking to the formulating of a plan, with directions that on or before Jan. 1, 1959, the defendants inform the court concerning progress to that date."

In Washington, Sen. Byrd (D-Va) said the seven-year delay was "very gratifying." Byrd is regarded as the author of Virginia's program of "massive resistance" to school integration. Under state law, any school that is integrated is closed.

Tue 8-5-58

Atty. Gen. Albertis S. Harrison said he, too, was "very pleased."

Judge Hutcheson turned down the school board's request the issue of a date be continued indefinitely while an expert hired by the board survey the entire situation in the county and report conditions to the court. However, he virtually suggested the school board proceed with such a study.

Prince Edward County lies in the so-called "black belt" of southside Virginia where the percentage of Negro population is high. More than half of the school children in the county are Negro.

Judge Hutcheson comes from this same section of Virginia, Mecklenburg County. Although he keeps his private views to himself, segregationists consider him friendly to their views. He has said from the bench his chief concern is with the children of both races.

14d(1) 1958

VIRGINIA

7 YEAR DELAY

Virginia Given Integration Stay

Constitution P.1

Atlanta, Ga.

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Tues 8-5-58

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It appeared certain that Monday's ruling would be appealed but whether anything could be done about it in time to affect this school year was in doubt.

3 ORDERED

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Constitution Tues 8-5-58

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Integration Held Off for 7 Years

U. S. Judge Cites Violence Peril In Virginia County Case

RICHMOND, Va., Aug. 4 (UPI)—A federal judge authorized a seven-year delay today in the integration of schools in Prince Edward County, Virginia, origin of one of the pioneer cases decided by the Supreme Court, because of the danger of violence.

"Judging from the experience of other localities, it may be observed that violence may be within the realm of probability if precipitate action is taken" by integrating now," the judge said.

Times Union p.1

U. S. District Judge Sterling Hutcheson made the ruling in a 5,000-word opinion. His reference to violence apparently concerned integration troubles at Nashville and Clinton, Tenn., and in Little Rock, Ark.

Jacksonville Fla.

Deadline Flexible

Hutcheson directed the county, which was first ordered to desegregate in the Supreme Court's historic decision of May 17, 1954, to comply with the ruling "at the beginning of the school year for 1965."

Tues 8-5-58

He also said that the deadline could be extended or shortened according to "conditions" in the county between now and 1965.

Hutcheson's decision was a setback for Negro attorneys who asked him July 14 to order the county to desegregate this coming September. It was not quite a complete victory for county attorneys who asked for an indefinite stay of the desegregation deadline.

Appeal Seen

It appears certain that the case will be appealed, but whether anything can be done in time to affect this school year is in doubt.

Today's ruling does not affect the scheduled integration of schools in three other Virginia localities—Arlington County, Charlottesville and Norfolk. However, Virginia's new segregation laws would close any schools that start mixed classes.

Still another Virginia city, Newport News, is under desegregation orders but a new legal move there has delayed integration beyond the start of this term.

Mixing In Virginia County Is Delayed

News-Courier

Charleston S.C.

Seven-Year Postponement Granted By U. S. Judge In The 'Black Belt'

Tues 8-5-58

By JAMES GEARY

RICHMOND, Va. (AP) — A federal district judge—ordered by a higher court to fix a definite date for desegregation of schools in the "black belt" county of Prince Edwards—Monday set September 1965 as a tentative date. This seven-year delay granted by U. S. District Judge Sterling Hutcheson was hailed by Virginia political leaders as a victory. Negro attorneys declined to comment. P.2A

National Assn. for the Advancement of Colored People attorneys for Negro parents in the case had asked for September of this year as a date for compliance with the Supreme Court's desegregation decree.

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EXPLAINS REASONING

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DEADLINE SET AT 1965 FOR VIRGINIA MIXING

Advertiser P.1

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Hutcheson said the date for compliance with a previous injunction ordering desegregation with "all deliberate speed" would be 1965, "unless such order should be modified during the interval."

Tues. 8-5-58

He said there was no evidence before the court "on which to base an opinion as to what would be a proper term" for compliance with the higher court's order. He said it was anticipated that progress reports in the future would "throw light upon this phase of the problem."

Montgomery Ala.

Hutcheson said he was setting the date 10 years from the 1955 court order calling on Prince Edward authorities to desegregate with "all deliberate speed."

Deliberate, But Not Speedy

Advertiser P 4A

Montgomery Ala.

Wed 8-6-58

VIRGINIA'S Prince Edward County was associated with the Supreme Court's race-mixing decision from the beginning, one of the suits having originated there. Federal Judge Sterling Hutchinson has now ruled that 10 years—dating from the Supreme Court's 1955 demand for "all deliberate speed"—is "an appropriate interval to allow for adjustments to far-reaching changes in the customs of a people."

Looking at Little Rock and Nashville, Judge Hutchinson concluded that violence would likely result if integration is ordered immediately. Nor was he overly optimistic that it could be successfully accomplished even by his target date, 1965. Acting under the broad authority conferred on district judges in the Supreme Court's 1955 implementing decision, Judge Hutchinson reserved the right to extend the deadline if subsequent events suggest this to be in the public interest.

When, last year, he refused to set a specific deadline for compliance with the race-mixing fiat, Judge Hutchinson was reversed by the Circuit Court of Appeals. Now, bowing to the appellate court's orders, he has set a definite, albeit distant date.

Judge Lemley's order in Little Rock discontinued race-mixing efforts for another 2½ years. Judge Hutchinson has upped the ante to 10. It now appears that Justice Jackson's famous prophecy of a "generation of litigation" over the question may have been an understatement.

Though the appellate courts may reverse Judge Lemley and Judge Hutchinson again, the Supreme Court plainly left it for the district judges to say what is possible. And if district judges continue refusing to order community chaos, perhaps the message will finally get through to the rest of the federal judiciary.

INTEGRATION OFF IN VIRGINIA AREA

New York Times

New York, N.Y.

Judge Gives Prince Edward County a Tentative 7-Year Delay on Mixing Pupils

Tues. 8-5-58

Special to The New York Times.

P.C 17

RICHMOND, Va., Aug. 4—Prince Edward County won a tentative seven-year delay today in desegregating its public schools.

Judge Sterling Hutcheson of Federal District Court said that the date for complying with a previous injunction ordering racial desegregation "with all deliberate speed" would be 1965 "unless such order be modified during the interval."

He directed the county, however, to proceed promptly with formulating a plan and to report progress to the court by next January.

One of the first reactions to the decision came from United States Senator Harry F. Byrd, whose policy of massive resistance to integration has kept Virginia from any racial mixing in its public schools. The Virginia Democrat said in Washington that the seven-year dealy was "very gratifying."

Stresses Local Conditions

Today's opinion took the pressure off Prince Edward County, one of the five Virginia localities under court orders to desegregate. It is the only one of the five in Southside Virginia, which has the largest Negro population and strongest resistance to integration of any section in the state.

Judge Hutcheson's thirty-two-page opinion stressed his desire to consider local conditions and declared:

"The Supreme Court has announced in an epochal opinion that the exercise of a right guaranteed by a court of the United tates may be deferred until necessary local adjustments in the public interest may be affected."

Obviously referring to Little Rock, Ark., the judge wrote:

"Judging from the experience of other localities it may be observed that violence may be within the realm of probability if precipitate action is taken."

'Not in Best Interest'

Judge Hutcheson said that it was "obviously not in the best interest of those concerned" to desegregate this fall. He said that it was equally obvious that there was "no material before this court upon which to base an opinion as to what would be the proper term."

Progress reports by the county, the judge wrote, would be expected to help in setting the final deadline.

In listing 1965 as a tentative date, Judge Hutcheson noted that Solon, ancient Greek lawyer and wise man, considered ten years "an appropriate interval to allow for adjustments to far-reaching changes in the customs of the people." The 1965 compliance date set by the judge would be about eleven years after the United States Supreme Court's decision of May 17, 1954, outlawing segregation.

The Prince Edward case was one of the five decided then.

The judge said he believed "that some assurance of stability of conditions in the immediate future may be beneficial to the people of the county in their efforts to meet the changed conditions."

At a hearing July 14, he noted, witnesses were almost unanimous in saying that race relations in the county had deteriorated substantially since 1954.

Survey Backed

The National Association for the Advancement of Colored People asked for a deadline this September. The county and state had countered with a suggestion for delay while an expert surveyed race relations in the county.

The judge said today that the plan appeared to be "an approach which has not been tried elsewhere."

He continued:

"Considering the weight and importance which have been given to psychological and sociological factors, such an approach would appear to have merit and to contain the possibility of a worthwhile recommendation dealing with the problems pecular to the particular community with which we are concerned."

He pointed out, however, that he was merely commenting and did not want to specify procedures for the county.

Judge Hutcheson had originally declined to sea date for the desegregation but had been directed to do so by the Fourth United States Circuit Court of Appeals.

Prince Edward has 1,481 white pupils and 1,716 Negro pupils in its public schools. A county group has been ready for several years to set up temporary private schools if quick integration was ordered. County officials planned to close all their public schools at that time, although state laws require the temporary closing of only those schools direcfly affected by court-ordered integration.

'Reasonable,' Says Wilkins

Roy Wilkins, executive secretary of the N. A. A. C. P., said:

"This is not what we wanted, but it is a ruling which should be regarded as reasonable by thoughtful men even in the so-called hard-core areas.

"After all the completion would be eleven years after the United States Supreme Court decision concerning integration in the schools and no one could call that haste."

14d(1) 1958

VIRGINIA

FEDERAL JUDGE JOHN PAUL
VOIDS VIRGINIA PRIVATE SCHOOL PLAN
PUBLIC TEACHERS CAN NOT SERVE
PRIVATE SCHOOLS

Judge Voids Virginia Private School Plans

Times-Union of Jacksonville Fla.

10-9-58

HARRISONBURG, Va., Oct. 8 (AP)—U. S. Judge John Paul today outlawed stop-gap private education programs employing publicly paid teachers idled by state school closures in Charlottesville and Warren County. He said if the teachers are used, the private schools must integrate.

The court turned down a request of Negro attorneys that he order the reopening of the high school in Warren and the high school and an elementary school in Charlottesville. A test of the law under which they were closed is before the Virginia Supreme Court.

But on the question of using teachers paid from public funds in the makeshift private programs of Charlottesville and Warren, Paul said:

"This is too obviously an evasion of the U.S. Supreme Court mandate to be allowed to continue."

Paul's decision was announced from the bench after a nearly two-hour private conference with attorneys for both sides. The lawyers then met with him again and agreed on the gist of a final order.

This order—to become effective a week from today — is that Charlottesville and Warren may not utilize publicly paid school teachers in the private school programs unless Negroes are admitted to the classes.

Charlottesville Atty. John S. Battle Jr. lost in a move to delay the order until evidence on the private school program could be presented. However, he won a week's stay so Charlottesville residents can explore the chances of continuing the private system with teachers paid entirely from private funds.

Most in Class

Charlottesville has provided private classes in homes, churches and fraternal halls for most of its 1,700 displaced public school pupils. Warren County had expected to launch a private system patterned after Charlottesville's at Front Royal tomorrow. Several hundred of the 1,000 idle pupils of Warren County High School would have attended.

Negro attorneys will present a petition similar to that in the two cases here to U.S. court in Norfolk on Friday. Some 10,000 secondary pupils have been idled by the closure of six Norfolk schools.

Battle said later he had hopes enough money can be provided locally from private sources to pay the Charlottesville teachers and remove them from the court's prohibition.

He said the money probably can be raised by tuition charges and added:

"That is our only chance. The tuition shouldn't amount to very much considering the number of children involved."

NAACP Action

The latest action was brought before Paul by NAACP attorneys seeking "further relief" for the 22 Negro children previously ordered admitted to Warren County High — the county's only high school—and the 12 ordered admitted to Lane High and Venable Elementary schools in Charlottesville.

They asked Paul to order reopening of the schools so the terms of his desegregation orders could be met. They also called the use of publicly paid teachers in the private program "evasive tactics" which the Supreme Court has ruled out and asked Paul to halt this practice.

The 72-year-old judge said he did not feel it proper to act on the state school closure law and related statutes while they were before the State Supreme Court.

He added, though, that the state should not attempt to put the acts into operation until the state court has made its determination.

U. S. Judge Overrules Va. Plan For Publicly Paid Teacher Use

News Courier Charleston S.C.

10-9-58

By THE ASSOCIATED PRESS

A federal judge Wednesday slammed another door on the South's hopes to escape racial integration of classrooms when he ruled publicly paid teachers must not work in Virginia's makeshift private schools as long as they are segregated.

Already denied use of public school buildings for private classes in Arkansas, segregationists thus had the second major prop knocked from beneath their private school plans.

This teacher bar was set up in U.S. District Court at Harrisonburg, Va., while Gov. Orval E. Faubus of Arkansas shaped a nationwide drive for funds to operate segregated, private schools in Little Rock.

At Harrisonburg, Judge John Paul ruled that private schools already operated on a make-do basis at Charlottesville and planned for Warren County must admit Negroes or stop using teachers idled when schools in those areas were closed by the state after being ordered to admit Negroes.

He refused, however, to order the reopening of the public schools in the two cities on an integrated basis, as requested by the National Assn. for the Advancement of Colored People. He declined to rule on the constitutionality of the state law under which the schools were closed, on the ground that a test now is being made in the Supreme Court of Virginia.

Paul said he felt his court does not have the right to order reopening of the public schools "but it does have the right to say if the state is to abandon public education it must abandon it completely." He added that continued conducting of segregated classses in homes and elsewhere with the state providing most of the money "would be a clear violation of the mandate of the U.S. Supreme Court."

Apparently accepting the position of the federal courts that public owned buildings and public money cannot be used for segregated school operations, Faubus disclosed that he and Dr. T. J. Raney, president of the corporation seeking to establish private schools to replace Little Rock's closed ones, are preparing thousands of letters asking for money. They are to be mailed in about three days, on the governor's stationery, to persons who have written or wired Faubus urging him to continue to uphold segregation in the school.

Faubus' charge of Tuesday that his segregation stand had led to an effort to put pressure on him through unwarranted income tax claims brought a statement from the Internal Revenue Service that a mistake had been made, but that the incident occurred before Faubus became a racial storm center. Curtis R. Mathis, IRS district director in Little Rock, said his office made "a serious mistake in adding the (gubernatorial) mansion items to the account." But he said this happened in 1956 and was corrected before the IRS received any protest from the governor.

Officials of Tennessee's Anderson County discussed with presidential aides the financial problem raised by dynamite blasts that did an estimated $300,000 damage to integrated Clinton High School early this week.

After the session, it was announced that an as yet undetermined amount of federal aid would be extended under existing law permitting assistance to schools attended by children of parents working at federal installations. Some children of employes at the Oak Ridge plant of the Atomic Energy Commission attend Clinton. Classes now are being conducted in an unused elementary school at Oak Ridge.

Says Jurist In Virginia

Public Teachers Can't Serve Private Schools

14(a)(1) Va

By THE ASSOCIATED PRESS

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And in Charlotte, N.C., integration moved another quiet step forward when Fannie Waterman entered the 10th grade at Central High School and was cordially greeted at the door by two or three white girls.

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News & Observer
P. 1
Thurs 10-9-58
Raleigh

News & Observer
Thurs 10-9-58

14d(1) 1958 VIRGINIA PRIVATE SCHOOL PLAN

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Private School Plans Move Ahead in Virginia

By Mechlin Moore
Staff Reporter

Post
Washington DC
Tues 9-30-58
P1

Private organizations moved ahead yesterday with plans to provide substitute education for pupils of closed schools in Warren County, Charlottesville and Norfolk despite a Supreme Court decision which cast doubt on their legality.

The decision, which ruled out "evasive schemes" to circumvent desegration, was handed down in the Little Rock case. But it hled broad implications for Virginia where some 12,750 pupils have been shut out of schools in the three communities under immediate desegregation orders.

So far there has been no move in Virginia to lease public schools to private groups. But in each of the three areas the organizations are planning to use teachers from the closed schools as instructors while they remain on the public payroll.

Some Charlottesville teachers already are instructing substitute classes. A majority of Warren County High School's 40 teachers have volunteered their services. In Norfolk the Tidewater Educational Foundation, which plans to set up classes, will request School Board approval for use of teachers from closed secondary schools.

Fund Use Banned

The Supreme Court said state support of segregated schools through "any arrangement, management, funds or property" is unconstitutional. Temporary private school groups in Virginia may come under the decision as long as teachers are paid from public funds.

"We expect to continue with the private school plan until we hear otherwise," declared Duncan C. Gibb, chairman of a private corporation which is being organized to provide classes for Warren County High School students. He said the group will go ahead with its plan unless directed otherwise by State Atty Gen. Albertis S. Harrison. The plan was approved last week by Gov. J. Lindsay Almond.

"We're not trying to circumvent any decision. We're merely trying to deal with the present situation of a closed school," said Gibb.

John Fitzgerald, chairman of the Warren County Committee for Public Schools, a group formed to keep the schools open, said "the decision points up the difficulty of setting up private schools and makes it even more important that we should press for the early return of education to the established public school system."

"Open to the Charge"

Charlottesville Mayor Thomas J. Michie said temporary classes in his city are a "stopgap arrangement." He added, however, that under yesterday's Supreme Court decision the State would be "open to the charge of supporting a segregated school system" if teachers continue to be paid over a long period of time while teaching segregated private classes.

Norfolk City Council, School Board meet after Court decision. **Page A12**

Sen. Armistead L. Boothe proposes to abolish State income tax if Virginia abandons public schools.

Page A12

Poll shows that college-bound Virginians of closed schools may have to face tests. **Page B3**

Some 300 juniors and seniors from Charlottesville's closed Lane High school began classes yesterday in churches, lodge halls and the private dining room of a restaurant. Lane teachers instructed the classes. Pupils from Venable Elementary school began classes in private homes last week.

J. A. Rolston, chairman of the Charlottesville Committee for Public Education, another preserve the schools group, said "the present private school operation is highly vulnerable" after the Little Rock decision.

Post
Tues 9-30-58

In Norfolk where 10,000 secondary school pupils are shut out of six schools, James G. Martin, president of the Segregationist Tidewater Educational Foundation, said he will meet with the School Board soon to request approval for use of public school teachers by his private group. He said classes may have to held after school hours.

"Covered Legally"

Martin said he does not believe the Supreme Court decision will affect temporary private classes in Norfolk. "We're pretty well covered legally but I don't hesitate to predict that we will be taken into court," Martin declared.

Tidewater Foundation is also contemplating after-hours use of public schools in South Norfolk for pupils who cannot be accommodated in churches, warehouses and other rooms. Martin asserted this will not conflict with the Supreme Court ruling because the schools would not be leased but in effect borrowed on a "permissive user basis."

Martin said 2427 Norfolk pupils were registered yesterday for the temporary classes. He added that the Foundation can handle up to 7000 pupils. Numerous facilities have been offered to house the Norfolk classes but many details, including the provision of teachers, remain to be worked out.

There was no immediate comment from Gov. J. Lindsay Almond on the Supreme Court decision. The Governor met with top educational advisers but there was no statement.

The constitutionality of Virginia's tuition-grant program also was questioned by many observers in the light of the Supreme Court ruling. However, the program already has been suspended pending a test of its legality in the State Supreme Court. The law would provide grants to children who refuse to attend integrated schools.

Boothe Wants Income Tax Killed If State Abandons Public Schools

Post
Washington DC
Tues 9-30-58
P A12

State Sen. Armistead L. Boothe of Alexandria proposed yesterday that Virginia's income tax be abolished if the State abandons the public school system in the face of desegregation orders.

He also demanded that localities be permitted to levy local income taxes to operate their own public school systems "without interference by the State."

Boothe's statement was issued before the Supreme Court handed down its opinion that states cannot use "evasive schemes" to avoid compliance with the 1954 desegregation decision. But Boothe said later that he believes a state can still go out of the public school business entirely in which case, he asserted, the plan for repealing the State income tax still would be appropriate.

The Alexandria Democrat said his local option program should be considered if serious moves are made to abolish public education in Virginia. Boothe has long been a foe of the "massive resistance" program of anti-desegregation laws passed by the General Assembly in 1956.

Boothe asserted that the school-closing and fund cut off laws—keystones of the "massive resistance" program—will be outlawed by the Virginia Supreme Court in a test case now pending. Boothe claimed the laws violate the Federal Constitution and the Virginia Constitution's requirement that the State maintain a public school system.

If the school-closing law is thrown out, Boothe declared, Virginia will be faced with allowing a few Negro applicants to enter white schools or abandoning a "State-controlled public school system" altogether.

Boothe said "downstate areas" are openly supporting the complete abolition of public schools. Terming this a "tragic alternative," he proposed instead that public schools be placed solely under local control with locally raised funds.

The State Senator said his plan would save citizens of Alexandria, Arlington and Fairfax about $7 million annually. These areas now pay $11.2 million in State income taxes and receive $4.2 million annually from the State in school funds, he said. If the State income tax were repealed, Boothe said, these areas would have to raise only $4.2 million in local income taxes.

Ruling Brings Norfolk Meeting

Post
Washington D.C.
Date 9-30-58
P.A12

From News Dispatches

NORFOLK, Va., Sept. 29 The Norfolk City Council and the School Board today held an emergency, hush - hush meeting, shortly after the U. S. Supreme Court ruled that states cannot resort to "evasive schemes" to continue racial segregation in schools.

None of those attending the 2 hour session would comment on the purpose of the meeting after it adjourned.

The meeting reportedly was called to try and work out an emergency program for the six closed white junior and senior high schools to teach "special" classes for the city's 10,000 school-less white students. The schools were closed Saturday night by Gov. J. Lindsay Almond shortly after the Norfolk School Board voted to assign 17 Negro students to the schools.

The action — automatic under State law—followed the refusal of the U.S. 4th Circuit Court of Appeals at Baltimore to grant Norfolk a one-year postponement of integration.

Norfolks three Negrgo secondary schools and the small all-white Willard Junior High were the only high schools open today. All 46 Negro and white elementary schools, untroubled by the integration issue, were open.

At Grandy High School, white students today signed petitions at a rally calling for a return to classes. They waved a large banner which read:

"We're not segregationalists, we're not integrationalists. We just want an education."

No incidents were reported at any of the deserted schools. School officials were gratified that pupils were complying with their request to remain away from the six schools.

When it enrolled the 17 Negroes the School Board said it realized its actions automatically closed the six schools, and it asked Almond to take steps to reopen them as promptly as possible.

There was some speculation that Almond might act today to reorganize the six schools by eliminating the grades in which the Negroes were enrolled.

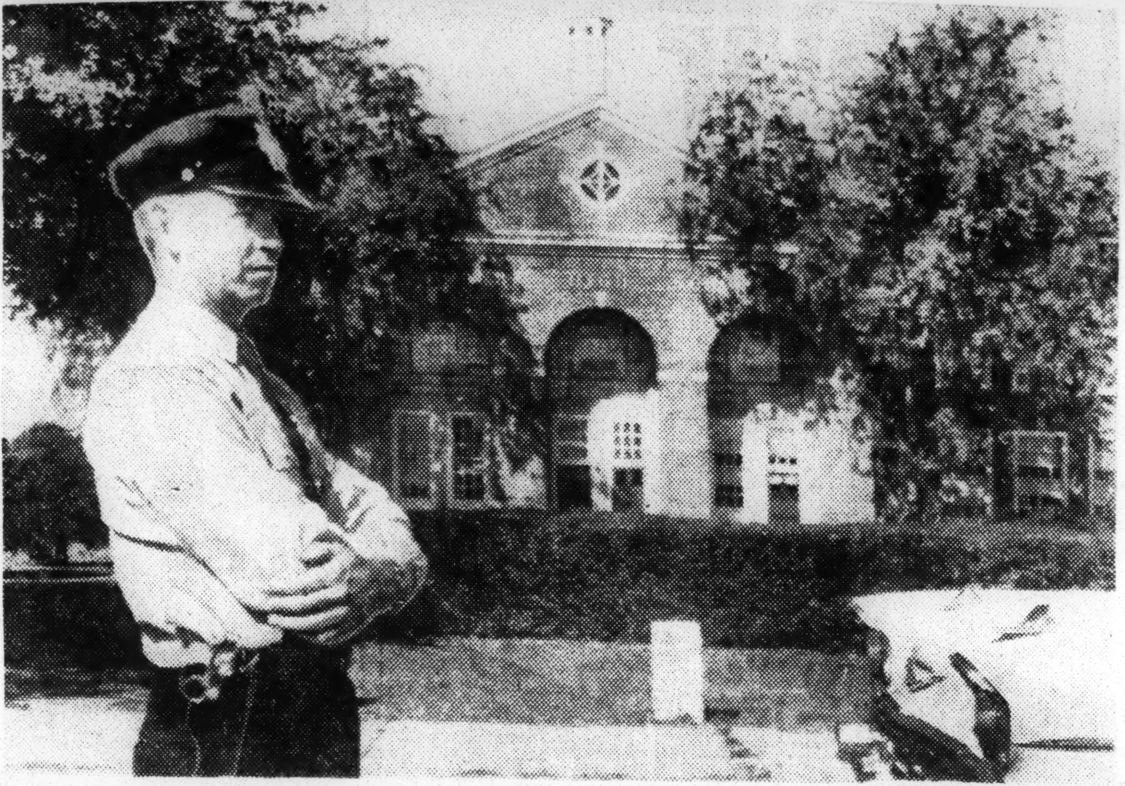
At a meeting of the Norfolk Ministers' Association today 60 Protestant clergymen signed a request that city and state leaders "open our public schools immediately." The request will be presented to the City Council and to Almond.

The Tidewater Educational Foundation, a private segregationist group, announced it had obtained the use of private buildings for the schooling of 7000 pupils, some 23,000 pupils have registered for the Foundation's classes.

The Foundation plans to open classes Monday if the School Board will release teachers idled by the closure of the schools.

At Richmond, Gov. Almond conferred during the day with top education and legal department officials. Closeted with the Governor were Davis Y. Paschall, State Superintendent of Public Instructions; J. G. Blount, finance director of the Department of Education; Attorney General A. S. Harrison Jr., and Assistant Attorney General Kenneth Patty.

The Governor's office indicated the talks were another of a continuing series. Harrison told a reporter the meeting was "a routine conference."



United Press International

A Norfolk policeman stands guard at Granby High School, one of six closed in the city.

VIRGINIA SCHOOL SITUATION IN FIVE
MAJOR AREAS

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14d(1) 1958

VIRGINIA

IRGINIA SCHOOL SITUATION N FIVE MAJOR AREAS

Star P.1

Tues. 9-9-58

Washington

Major developments in the Virginia school desegre- tion situation include:

WARREN COUNTY—A Federal Court order has been ed requiring the school board to admit 22 Negro ents to white Warren County High School at Front al on Monday. The State will ask the Fourth Cir- Court of Appeals for a stay. Schools opened a k ago.

CHARLOTTESVILLE—Federal Judge John Paul to- continues hearing evidence on the applications of 33 o students for enrollment in white Charlottesville ools. He turned down a motion yesterday to dismiss suit. Schools open September 15.

NEWPORT NEWS—A petition by 10 Negro students immediate enrollment in a white Newport News mentary school was denied yesterday by Federal Judge alter Hoffman and the case has been scheduled for a hearing November 28. Schools opened last Thursday.

NORFOLK—The Norfolk School Board, which has under court pressure to enroll 17 Negroes in white for the fall term beginning September 22, yes- forwarded all applications to the State Pupil ement Board.

ALEXANDRIA—Federal Judge Albert V. Bryan yes rday denied a plea by 14 Negro students for immediate rollment in white classes, declaring that the case should ature in the normal way. Alexandria schools opened esterday.

14d(1) 1958

VIRGINIA

STATE POLICE
LEAVES CANCELLED BETWEEN
AUG.15th-Sept.12

VIRGINIA POLICE UNIT SAID TO BAR LEAVES

Times

CHARLOTTESVILLE, Va., July 31 (UPI)—A notice was posted on the Sttae Police office bulletin board here today canceling all troopers' leaves between Aug. 15 and Sept. 12. In that period, Charlottesville schools are scheduled to be integrated by a court order.

The notice was torn off the board, however, after newsmen asked questions about it. Officials denied it had come from central headquarters.

New York

Charlottesville is under Federal Court order to desegregate its schools in September. A Virginia law would close any school that integrated.

State Police Sgt. Frank M. Ritter, head of the local office, left his office after the notice was torn down and was not available for comment. However, another state trooper in the office confirmed that the notice had been posted.

8-1-58

He said chiefs of local State Police headquarters were authorized to cancel leaves of men under their supervision. But in such a circumstance, he said, the local chief would report the cancellation to state headquarters. He said no such report had been filed from Charlottesville.

14d(1) 1958

VIRGINIA

PRINCE EDWARD COUNTY, VIRGINIA
7 YEARS TO INTEGRATE

Va. County Gets 7 Years To Integrate

Post & Times Herald

U. S. Judge Tells Prince Edward To Plan for 1965

P. 1

Washington

Tues, 8-5-58

RICHMOND, Aug. 4 (AP) — A Federal District judge—ordered by a higher court to fix a definite date for desegregation of schools in the "black belt" county of Prince Edward — today set September, 1965, as a tentative date.

This seven-year delay granted by District Judge Sterling Hutcheson was hailed by Virginia political leaders as a victory. Negro attorneys declined to comment.

National Association for the Advancement of Colored People attorneys for Negro parents in the case had asked

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Eighth Circuit Court of Appeals hears arguments for reversal of decision to delay Little Rock school integration. Page A7.

St. Mary's school official admits Negro boy to white school but ignores sister's appeal. Page A7.

September of this year as te for compliance with Supreme Court's desegre- on decree.

e Prince Edward case one of five school segre- cases on which the me Court based its 1954 on calling separate unconstitutional. The been in Federal Di- Court for implementa- er since.

ity Reserved

Hutcheson made it the period of delay specified could be reduced or extended by him "in accordance with what may develop in the future."

He said he was expressly reserving this flexibility "because of the uncertainty of conditions during the interval and the absence at this time of a sound basis" for the conclusion [illegible] conditions would stabilize in the years ahead.

Explaining his selection of 10 years, Hutcheson noted that the Athenian statesman, Solon allowed 10 years for the people of Athens to digest the new code of [illegible] he gave them; that the reconstruction period following the Civil War was about 12 years, and that the failure of prohibition in this country covered about 14 years.

He said he would order the defendant school board to make "an immediate start in the necessary preliminary steps looking to the formulating of a plan, with directions that on or before Jan. 1, 1959, the defendants inform the Court concerning progress to that date."

In Washington, Sen. Byrd (D-Va.) said the seven-year delay was "very gratifying. Byrd is regarded as the author of Virginia's program of "massive resistance" to school integration. Under state law, any school that is integrated is closed.

14d(1) 1958 VIRGINIA

FOURTH CIRCUIT OF APPEALS
ORDER DIRECTS ARLINGTON COUNTY,
VA. - TO INTEGRATE

Court Order Directs County To Integrate

RICHMOND, Va. — The Fourth Circuit Court of Appeals Wednesday upheld a federal court order directing Arlington County, Va., to admit seven Negro students to white schools.

World P. 1, 14d(1)

The three-member appeals court said it felt the order of District Judge Albert V. Bryan held that integration of the Arlington schools "was clearly proper for reasons adequately stated" by the lower court judge.

Thur. 2-13-58

The 300 word opinion said nothing need be added to what was there said, and it pointed out that Bryan had found the Arlington school board, the defendants in the case, had "acted in good faith" in relying on the state pupil placement law which asigns students to schools on a segregated basis.

Atlanta, Ga.

Some leaders here have declared they will fight to the end to avoid integrated classes. Virginia has several laws aimed at curbing integration.

One would close any schools integrated by federal troops. Another, under attack in the courts, would stop state financial aid to any school which is integrated.

Boothe Urges School Law Court Appeal

Star P. 1B

Washington

Declares Arlington Can Keep Schools Open in Showdown

Tues. 5-27-58

By SAM EASTMAN
Star Staff Writer

Arlington can keep its public schools open without losing State funds during the coming racial showdown by appealing to Virginia courts, State Senator Armistead L. Boothe said last night.

14d(1)

The Alexandria legislator predicted that the Virginia courts would block enforcement of the State's "massive resistance" laws until they are ruled unconstitutional.

Speaking to an audience of about 500 at a meeting of the Washington-Lee High School Parent Teacher Association in Arlington, Senator Boothe said:

"You will be able in a wise, restrained and moderate way to preserve your public free school system. You will be able to do this through the use of legal procedure without calling for interference from the Federal Government."

Bryan Order Upheld

Last week, the United States Supreme Court upheld Federal Judge Albert V. Bryan's order that Arlington admit seven Negro children to four white schools. The seven applied for enrollment last September after the Supreme Court had upheld Judge Bryan's earlier edict forbidding the county from denying students admission because of race. Negroes say they plan to enter white schools next fall.

On the other hand, Arlington is faced with the State's package of segregation laws. Under one statute, a school automatically closes if integration occurs.

The Governor has the option of granting or denying a community's request that he relinquish control of a closed school. If a locality reopens classrooms on an integrated basis, State funds are withheld from all elementary or secondary schools, whichever is involved.

Tuition grants for private schooling are to be provided to parents who object to sending their children to mixed classes, or for students in localities where public schools remain closed.

Last night Senator Boothe said:

"I believe that as long as the people of this county want to keep its public schools open they can do so."

Sees Law Unconstitutional

The State Senator then predicted "with great temerity" that the school-closing and fund-cut-off laws will be declared unconstitutional by both the Virginia and United States Supreme Courts.

Furthermore, Senator Boothe said, he believes that Arlington could obtain preliminary injunctions forbidding the closing of schools or withholding of funds while these laws are being tested in the courts.

Emphasizing that he personally prefers segregated classrooms, Senator Boothe said he sees three alternatives under the school-closing law.

His preference, of the three, would be for the Governor voluntarily to reopen the schools. The Governor may do this either as a result of a request from Arlington officials "or under the pressure of public opinion of a weight and scope of inconceivable proportions."

Senator Boothe said his second choice would be the legal countermoves by Arlington.

Use of Federal Power

The third alternative "which I say fervently, God forbid," would be the use of Federal power to compel the Governor to reopen the schools.

Senator Boothe suggested that if Arlington must resort to legal action it should take its case to the State Appellate Court, whose judges are "men of the highest caliber."

The State Senator, who is a lawyer, said the fund withholding law will be declared unconstitutional under the Fourteenth Amendment and possibly under sections of the State constitution.

The Fourteenth Amendment's, "equal protection" clause would be "blatantly violated" if Arlington was denied public education "which today is as fundamental as the right of free speech," he said.

In the face of the fund withholding provision, Senator Boothe went on, Arlington will be able to obtain a Virginia court order forcing State officials to pay the money.

Can Demand Funds

"Even the Legislature of this grand old State" cannot cut off one county's share of Virginia's fund distribution formula because "that county demands the right to continue its school system."

Senator Boothe urged that Arlington residents not "resort to illegal actions such as taxpayers' strikes, which might affect the welfare and the dignity" of Virginia law.

Many Virginians, he said, have been misled by statemtnts that the only alternatives are massive resistance or "total integration like that of Washington or New York."

14d(1) 1958

VIRGINIA

Almond's Stand on Cour

Times

Special to The New York Times.

RICHMOND, Va., Sept. 30—llowing is the text of a state- issued here today by Gov Lindsay Almond Jr.:

The proclamation by the preme Court in the Little ck case far transcends in ope and relevancy the is- in that case. It is the far-reaching and devas- ting blow ever to bludgeon reserved powers of the of this union. It is de- to reduce the states to status of mere puppets, manacled to the so- ical and personal predi- of a judicial oligarchy the fundamental of a government of not of men. It tears battered remnant of the Amendment out of the tution and hurls it into of a shocked and be- ed people.

its ruthless will destroy every of public education of American chil-

says to the states that must totally abandon public free schools they cannot be oper- an integrated basis, they must not render rmative assistance to who will not send children to racially schools.

lication and effect ounds of our people ndonment of judicial of enforced segre- translated into a non- mandate of en- integration.

to rob the the exercise of their freedom of choice and It seeks to still of an outraged peo- portends shackles for of speech.

pounds the fallacy ever the Court may time on any sub- whatever division of ponents, without re- the limits of constitu- authority or judicia is the supreme law land. To sustain its infallibility, the and engrafts this as an amendment to VI of the Constitution language of which concept.

and insults every every state and every governor whose convictions relating to the oath "to support this constitution" differs from the Court's engraftment upon Article VI. These state officers are accused of "war against the Constitution" by a court which in an era of national peril armed every Communist in this country with the right to preach, teach and advocate the overthrow of this government by force and violence.

Sees 'Gratuitous Insult'

This gratuitous insult coupled with this authority conferred upon Communists to undermine and lay the groundwork for the overthrow of this Government strengthens me in my allegiance to the Constitution and the institutions of my country. The Constitution stands in dire need of defenders as never before.

I speak as the governor of my state. I shall continue to defend the Constitution of my country. I shall continue to defend and strive with every power at my command to preserve the reserved rights of our state to govern in her own internal affairs. I cannot and I will not compromise with principle.

I will never voluntarily yield to that which I am unalterably convinced will destroy our public school system. If public education is destroyed in Virginia, the sole responsibility for that unhappy and tragic event must rest and abide with those, official and unofficial, who have confederated together to achieve such a result.

ALMOND SHELVES PLAN ON SCHOOLS

Defers Reopening of Some Grades—Court Bars Two Appeals for Delay

New York

By LAWRENCE FELLOWS

Special to The New York Times.

Times

RICHMOND, Va., Oct. 2—Gov. J. Lindsay Almond Jr. decided today "to defer for the present" a plan to reopen some of the classes in the public schools that have been shut down by Virginia's "massive resistance" laws.

New York N.Y.

He had considered opening only those grades to which no Negro pupils had been assigned, thereby preserving segregation and perhaps relieving some of the pressure that has mounted up among parents and even their children to open the schools one way or another.

Fri. 10-3-58

The United States Court of Appeals for the Fourth Circuit, meanwhile, said in opinions filed here today that it could not permit "delay for the sake of delay" in the integration of public schools in Norfolk and Warren County.

P. C19

The opinions were delivered in support of brief formal orders that the court gave last Saturday reaffirming lower court orders that caused Negroes to be admitted to six white schols in Norfolk and one in Warren County.

Both communities appealed to the Circuit Court of Appeals for a one-year delay in admitting the Negro pupils.

But both were turned down in opinions written per curiam by the court. The three judges were Chief Judge Simon E. Sobeloff and Judge Morris A. Soper of Baltimore, and Judge Clement F. Haynsworth Jr. of Greenville, S. C.

After meeting this morning in his office with school and city officials of Charlottesville, the Governor said he was satisfied that the parents there were absorbed with their own project to provide make-shift private instruction for their children.

"Any action that could be taken by this office under existing conditions would be designed to provide instruction for the children of Charlottesville during this emergency, "the Governor said in a statement.

"It appears that such instruction is now being afforded through the initiative, courage and determination of the citizens of Charlottesville.

"I am, therefore, deferring action at this time on the contemplated reopening of certain grades in the two schools involved."

Picture in Norfolk

But in a meeting this afternoon with Norfolk officials, no such interest could be reported from the biggest city in the state with all three of its high schools closed, three of its four junior high schools closed, and private instruction arranged only tentatively for 2,500 of the city's 10,000 displaced pupils.

Nevertheless, Governor Almond decided to stand firm a while longer and issued this statement after that meeting:

"I have informed these officials that I have decided to defer for the present further consideration of the contemplated reopening of certain grades in the schools involved."

No such plan was considered for Warren County, which is trying to set up make-shift instruction for the 1,044 students of the county's only high school at Front Royal. Of the twenty-two Negroes assigned there by court order at least one is assigned to each grade.

Teachers Back Reopening

Special to The New York Times.

NORFOLK, Va., Oct. 2—An association of Norfolk school teachers voted 487 to 89 today in favor of a resolution calling for the reopening of six secondary schools here closed by Virginia's "massive resistance" laws.

The three-point resolution adopted by the Norfolk Education Association urged support to the city school board in efforts to open the school, asked the city council to seek return of the schools to local control and urged the public to join teachers in "efforts to maintain our free public system of education."

VIRGINIANS FEAR PUPIL LAW FAILURE

State Aides Are Doubtful of Validity—N. A. A. C. P. Moving for Court Test

By LAWRENCE FELLOWS

Special to The New York Times.

RICHMOND, Va., Oct. 4—Virginia's political leaders are conceding priavtely that their laws of "massive resistance" to racial integration in the public schools may prove to be a house of cards.

New York

They say that since the laws were enacted by a special session of the General Assembly in 1956, they have been overtaken by events and undone by the broad opinion handed down last Monday by the Supreme Court in the Little Rock school decision.

Times

New York

They are caught between the forces on one side that would deliberately sacrifice public education to preserve segregation, and the parents, teachers and even pupils on the other side who believe that the public school system should be preserved, even with some integration.

N.Y.

Sun. 10-5-58

"We don't know what we are going to do next," one official said. "We can't possibly do any more than take it step by step as we are pushed along."

New Move by N. A. A. C. P.

P. 42

A new push is now being given them by the National Association for the Advancement of Colored People, which is asking for a showdown in Federal court on the constitutionality of the laws which shut down nine schools in three communities, and displaced 12,770 white pupils to exclude fifty-one Negro pupils.

Oliver W. Hill, chairman of the association's legal committee in Virginia, has filed motions in the Federal District Court in Harrisonburg asking for a hearing Wednesday for further relief in the court's order to admit twenty-one Negroes to Warren County High School in Front Royal, and the same for twelve Negroes assigned to Lane High School and Venable Elementary School in Charlottesville.

Victor J. Ashe, the attorney for seventeen Negroes assigned to six white secondary schools in Norfolk, said he would file a similar motion in Federal District Court there Monday morning, and ask Judge Walter E. Hoffman for a hearing later in the week.

Segregationists Doubtful

There is little hope here that the "massive resistance" laws will stand up in the test.

Attorney General Albertis S. Harrison Jr. said at a Democratic dinner last night that some of the laws designed to preserve our public school system may prove ineffective; if so, they will be replaced by other laws, openly enacted, and fairly administered.

"We are not acting in contempt of lawful authority, or ignoring the existence of decisions of the Supreme Court," he said. "We only seek to avoid and avert the destructive results that would necessarily flow from compliance."

Gov. J. Lindsay Almond Jr., although bound rigidly by state law, has tried to follow a course that would hold popular support and, above all, prevent any outbreaks of violence.

Until now, he has been able to hold to this course by doing virtually nothing.

Partial Reopening Plan

To relieve some of the pressure from parents, he had planned to open those grades in the closed schools to which no Negro pupils had been assigned.

Warren County could not be helped in this way, for there are Negroes assigned to every closed grade. Some relief could have been given Charlottesville, but parents in both communities are busy setting up makeshift private instruction for their children out of school.

After meeting Thursday with city and school officials from Charlottesville, the Governor shelved this plan, confident that the parents had turned their interest, for the time being at least, to their ambitious project.

Officials from Norfolk could give him no such assurance. There was no easy way for a small-town spirit to develop spontaneously in Virginia's biggest city. A tentative arrangement to provide classes for 2,500 of the 10,000 pupils out of school collapsed when the teachers refused in a body to volunteer their services.

But the Governor shelved the plans for Norfolk's schools, too for he has not wanted to take different steps in the different communities.

For this reason, he has not yet acted on the request by the Norfolk City Council, which asked him to reopen the schools in accordance with the "massive resistance" laws, and run them on a segregated basis. And for this reason, he has not heeded the groups who are asking that the schools be returned to local control, so that they can be opened one way or another.

Mr. Harrison said that without state-wide support for public education it would collapse.

"Even in those areas that would attempt or tolerate integration," he said, "some parents will be unwilling for their children to attend mixed schools and will withdraw them.

"There is no way that we can isolate any country or city, or section of the state, without affecting the entire commonwealth."

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Almond Raps Eisenhower School Plea

Questions State's Ability to Lease Public Buildings

Evening Star

A personal note from President Eisenhower, warning of the "disastrous" results of school closings, focused national attention on Virginia today in the struggle over school segregation.

The President expressed his sentiment in a letter to J. Albert Rolston, chairman of the Committee for Public Schools in Charlottesville, where two schools already are closed under Virginia anti-integration laws. A third school is closed at Front Royal.

Warren County, Charlottesville, Norfolk school developments. Page B-2

Text of President Eisenhower's Letter. Page A-7

"I deeply regret the action of Virginia and Arkansas in closing schools that are subject to integration orders of the Federal courts," wrote the President. "The direct consequences to the children in those schools and the eventual consequences to our Nation could be disastrous."

Washington D.C.

Rogers' Views Praised

The letter was in reply to a telegram Mr. Rolston had sent President Eisenhower September 17 expressing appreciation for a statement issued by Attorney General Rogers on the school question.

Contents of the telegram and the President's reply were made public by the White House late yesterday.

Gov. Almond commented in Richmond that the President should have thought of the consequences before the Federal Government "demanded the rights of the States be stricken down."

The President's letter—his first direct personal word on the school closing situation—capped these other developments in the Virginia school fight:

Fri 9-26-58

1. Gov. Almond expressed doubts about the State's ability to lease public schools for private operation—or even sell them for that purpose if it is an obvious subterfuge.

2. Warren County parents voted to set up a corporation to start private education for the 1,044 white students who have been locked out of their high school for two weeks now.

A1

3. Attorneys for Negro students in Norfolk said the United States Fourth Circuit Court of Appeals would be asked to order the admission of 57 more Negro student in addition to the 17 that the local school board has agreed to enroll.

4. Northern Virginia District of the Virginia Congress of Parents and Teachers went on record indorsing local option in meeting school desegregation.

Hopes Citizens Will Act

The exchange of communications between Mr. Rolston and President Eisenhower began when the Charlottesville parent wired the President expressing appreciation for the Rogers statement, in which the Attorney General indicated the Federal Government hoped to see citizens demand the reopening of schools where they have been closed by State resistance to integration.

When Gov. Almond was advised of the President's letter, he issued a statement recalling that President Eisenhower once had said he wanted to see the constitutional relationship between the Federal and State governments preserved.

Urges Amendment

"I wish so much the President would have considered the disastrous consequences of the tragic situation before the Solicitor General of the United States appeared before the Supreme Court and in the name of the Eisenhower administration demanded the rights of the States be stricken down," said Gov. Almond.

Gov. Almond reiterated that the believed the school segregation problem "can only be resolved through the processes of amending the Constitution of the United States so that the people of the several States might determine for all time this issue which is now so destructive of the processes of education."

Earlier at a press conference, Gov. Almond again sidestepped questions about when or how schools now closed might be reopened.

Park Case Is Cited

He was pressed for comment about the possibility of leasing or selling schools—the issue now being debated in Arkansas. He was reminded that he once had said a lease arrangement would not work in view of a Federal Court decision in a Virginia park case.

"I may have said something like that — that (Seashore State Park case) would give me grave concern," replied the Governor.

Asked about the possibility of selling schools for private use, he replied:

"That's something I don't believe I should discuss now . . . Of course, a sale may be brought about under existing law (for disposal of surplus property) . . . However, that sale would have to be bona fide and not a subterfuge."

Feels 'Very Humble'

In Charlottesville, reaction to President Eisenhower's letter ranged from something like Gov. Almond's to outright enthusiasm.

The recipient of the letter, Mr. Rolston, said he felt "very humble and proud."

"It (the letter) might make people more aware of the basic issues that are involved," Mr. Rolston said, adding that "there is concern for the education problems of Virginia not only in Charlottesville, but in the whole Nation."

Mr. Rolston said the letter might bring people to realize "what the massive resistance program is doing to the schools." Lane High School and Venable Elementary School in Charlottesville have been losed since Monday because of court order to admit 12 Negro children.

An opposing view was taken by E. J. Oglesby, chairman of the local chapter of the Defenders of State Sovereignty and Individual Liberty.

"We'll educate the children if the Federal Government will leave us alone," Mr. Oglesby declared.

He added: "It could be disastrous for the country when you have the Supreme Court passing out unconstitutional rulings."

Co-operation Urged

Frederick S. Morton, chairman of the joint committee setting up stop-gap high school classes here, said: "We in this community are going to try to work in a spirit of co-operation. The best evidence at present of the co-operation with which we in Charlottesville are trying to meet our problems is the action of the joint high school committee . . ."

Mr. Morton said the stop-gap education program in Charlottesville was "producing a spirit of co-operation."

School Supt. Fendall R. Ellis declined comment.

14d(1) 1958

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VIRGINIA

Virginia Loses Court Plea For Delay on Integration

By ANTHONY LEWIS

Special to The New York Times.

BALTIMORE, Sept. 27—The Federal Court of Appeals for the Fourth Circuit unanimously affirmed today lower court orders requiring immediate racial integration of schools in Norfolk and Front Royal, Va.

The immediate affect of the decision will be to invoke a Virginia statute closing six Norfolk high schools with 10,000 students. Front Royal's only high school, with 1,000 students, has already been shut over the racial issue.

[In Norfolk, following the court's action, the school board assigned seventeen Negroes to the city's six white secondary schools. It said this would "automatically close" the schools under state law. In Richmond, Gov. J. Lindsay Almond Jr. ordered the Norfolk schools closed effective Monday.]

Times P1

Norfolk Va

Hedge on Predictions

The court had met in emergency session to hear pleas from school authorities and the state for further delay in admitting Negro students to white schools. Its decision came in a brief formal order. Opinions will be delivered later.

Times 9-28-58

In the oral argument, attorneys for the two school boards were asked repeatedly by Judge Morris A. Soper: "If we grant you more time, will you be prepared to admit these children a year from now?"

Robert D. McIlwaine 3d, Virginia Assistant Attorney General, said the board promised to "deliberate" on Negro applications in Front Royal for a year without regard to [illegible]

"Then your motion is not really for delay," Judge Soper said. "If you had a year's time, you'd take the same position you are taking today."

Mr. McIlwaine and two lawyers representing the Norfolk board, W. R. C. Cocke and Leonard Davis, said they could not predict what would be done in the future because the state government controlled policy on the racial question. So far Virginia has stuck to a policy of "massive resistance" against integration.

Mr. Cocke said the Norfolk board "hopes" that a year's delay would "assist in creating a better climate for what we regard as inevitable."

Times

"But as far as you know," Judge Soper declared, "the attitude of the state is going to be the same a year from now."

Mr. Davis said Norfolk was just beginning to understand the gravity of its situation.

Times 9-28-58

"Up until the last few days," he said, "the people of Norfolk have not realized that they are either going to have integration or the schools will close."

He said Norfolk should have a year to "condition" residents to the idea.

"Do you think a year would condition the Governor?" Judge Soper asked.

Mr. Davis replied he could not speak for Gov. J. Lindsay Almond Jr.

Chief Judge Simon E. Sobeloff asked what purpose would be served by a delay. Albertis S. Harrison Jr., Virginia's Attorney General, said a delay was justified because "a great deal of law is being made around the country" on the school question.

Mr. Harrison mentioned the test just begun in Little Rock, Ark., on whether integration could be avoided by making public schools "private." He referred to a suit he had filed in the Virginia Supreme Court of Appeals to test several of the state's anti-integration statutes.

In the past, he said, "many people thought this decision [the Supreme Court ruling outlawing segregated schools] could be wished away or legislated away."

Now, he continued, people "are coming to grips with realities; they are realizing that some schools are going to integrate or be closed."

Concerned Over Boards

Judge Clement F. Haynsworth Jr., the third member of the court panel, expressed concern over the position of school boards when the state invoked its laws to close integrated schools and, if they were reopened, to deprive them of state funds.

The attorneys agreed that the validity of these laws would have to be tested in more suits. Judge Soper wondered whether "we might just as well have the litigation now as later."

Warren County, in which Front Royal is situated has no high school to which Negroes are admitted. About 100 Negro students are taken twenty-five to fifty miles by bus to all-Negro schools outside the county.

Judge John Paul ruled this as flagrant discrimination. He said twenty-two children whose parents had brought suit were entitled to immediate admission to Warren's white high school.

The Front Royal board argued today that the school was already overcrowded. It said a new combination elementary-high school was being built for Negroes in Front Royal and would be ready by next September.

The Warren County officials also said they could not run their system without state funds, which now make up 40 per cent of their budget. They told the court they had asked the county supervisors to raise taxes the fiscal year beginning next July 1 to make up for loss of state aid to integrated schools.

In Norfolk, 151 Negroes originally applied to white schools. Of these, only seventeen survived tests applied by the board, including scholastic ability and psychological factors.

Closure Is 'Automatic'

NORFOLK, Va., Sept. 27 (AP)—The school board assigned seventeen Negroes to the city's six white secondary schools tonight.

It acted shortly after the Federal Fourth Circuit Court had denied a request for a year's delay in integration.

The assignment was made by the adoption of a resolution in which the board said it understood its action "automatically closes" the six schools "pursuant to the state law" and placed them under the jurisdiction of Governor Almond.

The resolution requested the Governor to "utilize the best efforts of your office to effect the reopening of these schools at the earliest possible time."

Governor Acts

Special to The New York Times.

RICHMOND, Va., Sept. 27—Governor Almond tonight ordered six Norfolk schools closed, effective Monday, under the state's anti-integration laws.

The Governor's order was almost identical to those issued earlier for schools in Warren County and Charlottesville. It said that white and Negro pupils had been enrolled "under compulsion of an order" issued by the Federal District Court for Eastern Virginia, and that under Virginia laws schools facing mixed enrollments would be closed and their control assumed by the Governor.

ALMOND GETS PLEA TO OPEN SCHOOLS

Resolution by Norfolk Asks Segregation—Governor Delays Acting on It

Times

RICHMOND, Va., Oct. 1 (AP)—Gov. J. Lindsay Almond Jr. received today the first formal request from a Virginia community that he reopen public schools that were closed to prevent integration. His office indicated that he would take no immediate action on the request, which came from Norfolk.

New York

A Norfolk policeman, Sgt. L. A. Young, delivered the request early this afternoon to E. Griffith Dodson, clerk of the House of Delegates and keeper of the rolls of the Senate. Mr. Dodson transmitted it immediately to Governor Almond.

The resolution from the Norfolk City Council asks the Governor to reopen six closed schools immediately and to operate them on a segregated basis under an act of the General Assembly approved at special session in 1956.

Star 10-2-58

The resolution was adopted yesterday while Mr. Almond was telling a news conference that he hoped to be able to act within the next few days to reopen the six closed schools at Norfolk and the other closed schools, two at Charlottesville and one in Warren County.

12,700 Out of School

He declined to disclose any details, saying to do so would invite the National Association for the Advancement of Colored People to attack it on the "friendly grounds" of the Federal courts. But many observers believed it would call for the elimination from the schools of grades that would be integrated.

Ten thousand school children are out of classes at Norfolk; 1,000 in Warren County, where Warren County High School was the first to close under the state law, and 1,700 in Charlottesville, where Lane High School and Venable Elementary School are closed.

At Norfolk, elimination of integrated grades would mean removing one grade from each of three schools, two grades in each of two others, and the ninth, tenth and eleventh grades at Norview High School.

Presumably, if these grades were eliminated, the white children who would normally be enrolled in these classes would either be transferred to other white schools or would receive their education in private schools set up by local organizations.

Emergency Contended

Norfolk's Council act under a 1956 statute that states that an emergency exists whenever an efficient school system is not operated under local authority. An efficient school system is defined as one in which the races are not mixed in the classrooms.

The three junior high and three senior high schools at Norfolk were ordered closed and were brought under control of the Governor Saturday after the city school board had assigned seventeen negroes to the schools.

Meanwhile, Harry F. Byrd Jr. said today that he, as a member of the Virginia State Senate, would "not accept dictation from nine men in Washington who know nothing about Virginia and her problems."

In a statement issued here, Mr. Byrd said the more one studied Monday's ruling by the United States Supreme Court in the Little Rock, Ark., school case, "the more alarming and far-reaching become its implications."

As for himself, Mr. Byrd said, "so long as I continue as a member of the Legislature, I shall continue to vote my convictions to protect the sovereignty of Virginia, unswayed by threats and denunciations by a Washington court.

Group Buys 700 Desks

Special to The New York Times.

DANVILLE, Va., Oct. 1—The Danville Chapter of Defenders of State Sovereignty and Individual Liberties has purchased 700 school desks.

More than 200 have been sent to Charlottesville, where a system of private education in private homes and halls is being attempted. The others will go to Warren County and other localities that start private education, according to Brooke Temple, president of the Danville group.

According to Mr. Temple, the desks cost $3,000. A fund is being raised in Danville to defray the cost.

Almond Hints Plan To Open Any Class That Has No Negro

Text of Almond's statement appears on Page 22.

Special to The New York Times.

New York Times

RICHMOND, Va., Sept. 30—Gov. J. Lindsay Almond Jr. said today he hoped to announce in a few days a plan for reopening schools closed under the state's anti-integration laws. He also denounced yesterday's Supreme Court opinion against segregation as "designed to reduce the states to the status of mere puppets."

At an afternoon news conference the Governor read a 700-word statement on the Court's opinion in the Little Rock case. He called the opinion an insult to state officials, a threat to free speech, and "the most far-reaching and devastating blow ever to bludgeon the reserved powers of the state."

Wash 10-1-58

[In Norfolk, the City Council asked the Governor to use a little-known state law to reopen the schools on a segregated basis.]

P. 1

Says Court Ends Schools

Mr. Almond, a former state attorney general declared that the opinion "says to the states that they must totally abandon not only public free schools where they cannot be operated on an integrated basis, but that they must not render any af-

ALMOND TEST SUIT IN VIRGINIA COURT

Bid to Appeals Bench Seen as Move to Delay Any Federal Injunctions

By LAWRENCE FELLOWS

Special to The New York Times

New York

RICHMOND, Va., Oct. 5—The Virginia Supreme Court of Appeals will open its October term here tomorrow to take up the state administration's own test suit of its plan of "massive resistance" to public-school integration.

New York

With the "consent and approval" of Gov. J. Lindsay Almond Jr., Attorney General Albertis S. Harrison Jr. filed the suit on Sept. 13. It asks the court to order the payment of tuition grants for the private education of pupils assigned to integrated public schools.

Because the "massive resistance" laws also require the closing of any public school to which both Negro and white pupils have been assigned, the suit had been aimed partly at warding off a possible Federal Court injunction against the closing the Governor has already ordered.

Mon. 10-6-58

Custom of U. S. Courts

Where the constitutionality of a state law is at issue, the Federal courts customarily await the ruling of state courts.

But after the Supreme Court handed down its opinion last Monday in the Little Rock school decision, the National Association for the Advancement of Colored People felt that the whole package of Virginia's "massive resistance" laws was plainly unconstitutional and was ready to be tested in Federal court.

P. 24 C

The association filed motions for relief from action that had thwarted Federal court orders by shutting down schools in Front Royal and Charlottesville to exclude thirty-four Negroes. It will file a similar motion tomorrow in Norfolk, where six schools have been shut down to exclude seventeen Negro pupils.

Political leaders here hold out little hope that all the segregation laws can withstand legal challenges. With their resources of legal resistance running out, the leaders are banking heavily on the survival of at least the plan for tuition payment.

It has been pointed out that the Supreme Court opinion, in extending its prohibition to the state support of segregated schools, may not have ruled out state support of individual

Referring to the Fourteenth Amendment, the opinion said:

"State support of segregated schools through any arrangement, management, funds or property cannot be squared with the amendment's command that no state shall deny to any person within its jurisdiction the equal protection of the laws."

If tuition grants were upheld, there would be left only the relatively minor task of revising Virginia's constitution to amend thirteen sections which hinge on the provision that "the General Assembly shall establish and maintain an efficient system of public free schools throughout the state."

They would be pleased to leave intact another provision of the constitution which says that "white and colored children shall not be taught in the same school."

Virginia's high court is expected to begin consideration of the test quickly, although a decision may not be forthcoming before late in November.

firmative assistance to parents who will not send their children to racially mixed schools."

In response to a question, he conceded that this appeared to rule out a system of state tuition grants for private schooling. Planned for Virginia, the system is now being tested in a case brought by the state in Virginia's supreme court.

Governor Almond said the Supreme Court opinion had not changed the plans on which he and his legal advisers were working toward reopening closed schools. He declined to outline the plan because he said that would subject it to immediate attack from the National Association for the Advancement of Colored People.

He did say, however, that the situation in Warren County, which sends Negro high school pupils to adjacent counties for education, was different from that in Charlottesville and Norfolk, where some schools also are closed. There had been speculation he might seek to reopen grades to which no Negro pupils had been assigned.

In all, 12,700 pupils are assigned to closed schools.

In the news conference Governor Almond said the people of Virginia would have to decide ultimately whether they wanted to abandon public education.

Admit Negro Children or Face Contempt Is Arlington Dilemma

By ALICE A. DUNNIGAN

Courier

Pittsburgh Pa

9-6-58

ARLINGTON, Va. — When Judge Albert V. Bryan of Arlington returned from his European vacation, just two days before the scheduled opening date of schools in that county, he was faced with the question of what to do with 30 Negro children seeking admission to white schools.

This problem was placed on the doorstep of the judge by the School Board, who filed a "request for guidance." The board had been ordered last year by the Federal judge to admit eight Negro children who attempted to enroll in white schools. Apparently three of these children have given up the fight, leaving the original five.

"It appears to me that we must either admit the Negro children to the schools to which Judge Bryan intends them to go this year, or place ourselves in contempt of Federal courts — an action which I cannot rationalize as an American citizen believing, as I am sure all Arlington citizens do, in law and order," said James G. Stockard, a member of the board.

The board has been placed in the peculiar position of trying to comply with Bryan's order and at the same time attempt to abide by Virginia laws.

Their only "out" is to proceed on the assumption that they are not sure whether Bryan's order of last year applies to this year's enrollment.

■

THE SCHOOL Board was put on the spot after the Pupil Placement Board had rejected the Negro children's applications, and their atorneys appealed to the Federal Court for further relief for the eight in the original case and requested that the names of the other 22 children interviewed would be added to the suit.

This led Robert A. Peck, chairman of the School Board, to comment that "It's hard to call the next play." He said the board . . . "is not calling the signals. The

N CP, the courts and the governor are."

Frank Reeves and Otto Tucker, attorneys in the case, declined to comment as long as the suit is pending in the courts.

While officials are bickering on the legal front, the Arlington parents were holding workshops with experienced people of both races in the area of human relations to discuss the best methods of preparing the children for a desegregated situation.

Pointing out that America is in a great contest between a free and Communist world, the group agreed that "We can win that fight only if we perfect our own democratic practices at home, only if we become morally strong as our Declaration of Independence expects us to be, and only with the help of God."

■

INTEGRATION OF schools is necessary to impress upon our children that all races are equal, commented one mother. The only way they can learn this is to begin in school. We cannot afford to train our children to face a colored world. We don't live in a colored world, she emphasized.

"When these children leave school they will be thrown into a mixed world where they must compete for jobs and come in contact with people of all races. They must be prepared!" she concluded.

Another parent angrily tabooed the old contention that the Negro's rise has been too rapid. "It hasn't been too rapid,' she snapped. "Everybody should be able to rise according to his individual ability. There's no whole race of people who should be held back because of the inability of a few."

Arlington Set To Screen Bids Of 30 Negroes

Board Will Act If Court Directs, Chairman Says

By SAM EASTMAN
Star Staff Writer

Star

Washington D.C.

Wed. 8-27-58

Arlington is prepared to screen Negro applications for white classrooms if the Federal courts order it to take over pupil assignments, according to School Board Chairman Robert A. Peck.

Mr. Peck's statement was made after a school board

Judge Balks at Tests in Charlottesville Case. Page A-30
Arlington School Aide Warns Group on Contempt. Page A-29

meeting last night which followed these developments:

1. School officials filed a "report and request for guidance" in Alexandria Federal Court in an apparent effort to avert possible contempt action in the racial dispute.

2. Attorneys for the Negro children seeking enrollment in white schools asked the court to order county school officials to grant the applications.

Requests Rejected

The enrollment requests by the Negro students were rejected Monday by the Virginia Pupil Placement Board. On advice of its attorneys, the Arlington School Board has taken the position that the State board has the assignment authority

Last night, however, Chairman Peck said, in answer to a question:

"If Judge (Albert V.) Bryan says we have to screen the students, we will use the criteria which the staff has developed."

Another board member, L. Lee Bean, said the screening program will be ready if needed. "We are prepared to act if the court directs," he said.

Hints Placement Role

The board, in the papers filed yesterday in Federal court, hinted that it was prepared to take over student assignments if ordered to do so. After pointing out that county school officials took part in the recent interviews of the Negro applicants by the State placement board, the report to Judge Bryan said:

"All such interviews were recorded and each board member has received a transcript of the same. The members of the Arlington School Board and the administrative officials have acquainted themselves with the record of each individual applicant as well as the recorded interviews as to each."

Board's Strategy

The strategy in filing the papers apparently was to minimize the chances of a contempt citation for the board's efforts to follow the State's segregation laws in the face of a Federal court integration order.

The papers, filed by Attorney James H. Simmonds, first outlined the steps taken by the board in relationship to the racial developments beginning with Judge Bryan's integration order last September.

"These defendants (the board and superintendent) feel that they have complied with the order of this court and with the applicable State laws in working with the State Pupil Placement Board as set forth above," the report said. It then added:

Star

Wed 8-27-58

"In the event the court is of the opinion that the action taken is contrary to such order, these defendants seek the guidance of the court as to what actions they should take."

Order Upheld

Last September Judge Bryan directed that seven Negro children be admitted to specific white schools in Arlington. His order, stayed for an appeal, was upheld last May by the Supreme Court.

In his ruling Judge Bryan did not say that the entire State Placement Act—part of Virginia's segregation program—was invalid. However, Judge Bryan told the Negro children that they did not have to use the placement forms. The Placement Act was amended this year by the General Assembly and the revised statute has not been tested in the courts.

Two of the seven children involved in Judge Bryan's order are no longer in the Arlington school system. Since the May ruling by the Supreme Court, 25 additional Negro students have asked to enter previously white classrooms in the county. The State Placement Board rejected the applications of the five who won the integration order along with 21 of the new enrollment requests.

Defers Action on Four

The three-member board deferred action on the remaining four, who are out of town with their families and have not been interviewed. Two enrollment applications by white children for two Negro schools also were turned down.

In their report-and-guidance request to Judge Bryan, school officials said they were "in doubt" as to:

1. Whether his integration order was limited to the past school year,

2. Whether the "propriety" of the applications by the children covered in this decision for enrollment in the forthcoming school term was subject to review by either county school officials or the State board.

3. Whether Arlington or the State should pass upon the new enrollment requests.

Reasons for Stand

In the court papers, the school officials informed Judge Bryan that they have not assigned any students because "they are forbidden to do so" under the amended Placement Act. Unless directed by the court, the report said, the State board's decisions will be followed and the Negro children will not be admitted to white schools.

The guidance request was not filed as a legal rebuttal to the petition by the attorneys for the Negro students. It is not mandatory that an answer to the petition be filed in advance of the court hearing.

The court arguments are expected to be heard next Tuesday or Wednesday by Judge Bryan, who is returning from a European vacation at the end of this week. The opening day of school is September 4 —a week from tomorrow.

Seven schools are involved in the applications by the 30 Negro students. Under a Virginia law, any integrated school would be automatically closed.

Arlington Defends Its Rejections

Negro Attorneys Attack Action in Court Arguments

Post & Times Herald

By Robert E. Baker
Staff Reporter

Thurs 9-4-58

P1

Washington D.C.

The Arlington School Board yesterday defended and Negro attorneys — armed with expert witnesses — attacked the board's rejection of 30 Negro applicants for admission to white schools.

The testimony marked the second day of Arlington's school desegregation case before Judge Albert V. Bryan in Alexandria Federal Court, as attorneys for the Negro pupils sought to prove the School Board rejected the applications primarily on the grounds of race.

A psychologist took sharp issue with the School Board's rejection of 12 Negro applicants for psychological reasons.

Psychological No

James H. Bayton, professor of psychology at Howard University, testified that the records of seven pupils showed no evidence of psychological problems.

"The very opposite picture emerges in some cases," he said.

He conceded the records of

Norfolk School Board's request for year's integration delay rejected by court. **Page A20**

Arlington School Board considers pushing opening date beyond Supreme Court decision. **Page A22.**

five other Negroes raised the possibility of psychological or adjustment problems, but insisted further diagnosis would be necessary before any competent conclusion could be reached.

Rejections Reasons

School Board officials on Tuesday told Judge Bryan that the rejections fell within five grounds: Improper attendance areas, overcrowding at Washington-Lee High School, academic deficiency, psychological problems and inability to adapt to a new situation.

Many of the 30 rejections fell within two or three categories.

Rebuttal testimony yesterday brought out the following:

- Thomas H. Henderson dean of Virginia Union University in Richmond, said his study of the 22 pupils who allegedly failed to meet academic standards showed all but four of them were qualified.
- Harry J. Walker, professor of sociology at Howard University, said he believed "Arlington, with its per capita wealth, high level of education and low percentage of Negroes, could have desegregation much easier than Washington, D. C."

Barnard Joy, School Board member, testified the Board relied on studies of the applications by Cyril Mill, psychologist for the Virginia Department of Mental Hygiene, in rejecting 12 Negroes for psychological reasons or for an inability to adjust.

Post Herald

9-2-58

Rejections Listed

But Bayton, called as an expert witness by attorneys for the Negroes, went into each such rejection in court.

Case A—names are not used in the testimony—was rejected for an alleged inability to adjust, Bayton said, but noted Mill's conclusion of his study of the student's records showed an "apparently good" adjustment ability.

Another rejection—Case 7—was denied admission for the same reason. But Bayton said the child's record, as gathered by Arlington authorities, cited him as "showing pride in achievement, friendly, liked by every one."

Case 20 was noted as "extremely withdrawn" in 1952. But Bayton showed his 1958 record cited him as "friendly, kind, cooperative, practices good citizenship."

Of the five cases where a psychological problem was shown possibly to exist, Bayton said:

"No competent psychologist could make a final determination without further study."

Henderson, who qualified as an expert witness in education, also went into each rejection case in which the School Board had cited academic deficiency.

Such was Case 9. Henderson pointed out this student was a year ahead of his grade according to the results of the standard California Achievement Tests in his school file.

Student's Record

The student, who has studied in France, had IQ results ranging from 105-114 and last term received a report card with six A's, three B's and one C.

"I'd certainly say the student was qualified for transfer to the next grade," said Henderson.

Academic deficiency also was cited by the Board in rejecting Case 2. But Henderson pointed out the student had an "exceptionally high" IQ ranging from 126-137.

"Well qualified," said Henderson.

Academic deficiency was the sole reason that Case 5 was rejected. Henderson conceded the pupil had a low IQ and was a year behind the national average in achievement.

But he noted the student was due to advance a grade and said he should tentatively be assigned. If experience showed he couldn't keep up, Henderson said, the student should be given remedial work or depressed a grade.

Only three other rejections, Henderson said, would fall into the same category. The rest, he testified, either had a good or reasonable chance to succeed.

On cross examination, Frank L. Ball, attorney for the School Board, asked Henderson if it would be better for Negroes needing remedial work to stay in a Negro school without "strange and unusual surroundings."

"They need remedial help more than staying with people they know," Henderson replied.

Walker, a researcher in race relations, testified that his study of desegregation in Washington, D. C., showed Negroes found the work more difficult "but measured up to the challenge."

He noted that several million Negroes have migrated from the segregated South to the integrated North since 1918 and successfully made the adjustment to a different situation.

Arlington Case Is In Spotlight

Commercial Appeal

Virginia Integration Issue Nears Showdown Today

Tues.

LAWS ARE FACING TEST

9-2-58

By United Press International

ARLINGTON, Va., Sept. 1. — An impending Virginia school integration crisis nears its first showdown Tuesday in this sprawling residential community across the Potomac from the White House.

Memphis, Tenn.

Federal Judge Albert V. Bryan will hear arguments on the plea of 30 Negro children for an order admitting them to several previously all-white schools. A quick ruling is expected since Arlington schools were scheduled to open Thursday.

P. 17

Last year Judge Bryan ordered seven Negro students admitted to the schools, but he stayed his integration order to allow an appeal to the Supreme Court. The high court upheld his decision last May.

First Clearcut Test

The new and expanded plea by the Negro children is expected to provide the first clearcut test of Virginia's anti-integration "massive resistance" laws. They require the closing of any public school that mixes white and Negro students.

Norfolk and Charlottesville also have been ordered to integrate their schools. But the opening of the fall terms in these typical Virginia cities has been postponed until Sept. 8 and Sept. 15.

If Judge Bryan should grant the plea of the Arlington Negro students, the first test of the anti-integration laws would come in a county that has been out of step with the rest of the state on the issue of the anti-segregation laws.

Arlington is not a typical Virginia community. Its population of 172,000 persons includes a heavy percentage of out-of-staters, many of them Federal employes who come from Northern states where integration has been in effect for years.

Few Incidents Expected

Arlington is also the site of the National Cemetery with its famous Tomb of the Unknown Soldier and the Pentagon. Many officers and men stationed at the military headquarters live in the suburban community.

The opposition of a preponderance of the community to the state anti-integration laws stems not so much from any outright anti-segregation feeling but more from a desire to keep the schools open.

Whatever Judge Bryan's ruling, few incidents of violence are expected. Senator Harry F. Byrd (D., Va.), the state political leader and a staunch supporter of "massive resistance," warned pro-segregationists in the state that any disorders such as those that occurred in Little Rock "will weaken our righteous cause."

Nevertheless, Arlington police have made preparations to meet any emergency. All leaves have been canceled and every man on the force has been given riot training.

As one officer put it, the police are "hoping for the best and expecting the worst." Orders from superiors have made it plain that "anyone who creates a disturbance will be arrested."

Strayed In 1956

Arlington County school officials first strayed from the state's tradition of segregation in 1956 when the school board took tentative steps to comply with the Supreme Court's integration order. The pro-segregation State Assembly promptly took away the right of residents to elect their board.

The county also voted in a referendum two years ago against a constitutional amendment to permit tuition grants to students to attend private schools and thus avoid integration. However, the proposal was endorsed by the entire state by a margin of 3 to 1.

In addition to hearing the pleas of the Negro students, Judge Bryan also will hear a request from the state-appointed school board for "guidance as to what action it should take" during the crisis.

It already has explained to the court about the dilemma in which it finds itself. As an "agency of the state," it said, it is subject to the state's executive authority.

But at the same time, it said it could be subjected to an injunctive decree" of the court on the integration issue.

Judge Turns Down Negro In North Carolina

By The Associated Press

The South's tinderbox of litigation over racial integration of public schools flared briefly yesterday at Raleigh, N. C., a new spot.

United States Judge Edwin M. Stanley denied Joseph Hiram Holt Jr., 14-year-old Negro, an order for admission to the all-white Needham B. Broughton High School.

He said that when the school board, more than a year ago, refused to assign Holt to the school and set a hearing on its actions, Holt and his parents should have appeared with evidence to support his application.

Instead, the judge noted, a lawyer represented the Holts before the school board and they appealed to the Federal Court.

Hence, Judge Stanley held, all state measures for gaining admission to the school had not been exhausted as required under legal procedure.

Arlington School Row Up in Court

Hearing Today, Ruling Due Soon

ARLINGTON, Va., Sept. 1 (UPI).—An impending Virginia school-integration crisis nears its first showdown tomorrow in this sprawling residential community across the Potomac from the White House.

Herald

[illegible]

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Tues 9-2-58

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P. 10

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Norfolk

Va

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Want Schools Open

Arlington is also the site of the National Cemetery, with its famous Tomb of the Unknown Soldier, and the Pentagon. Many officers and men stationed at the military headquarters make their homes in the suburban community.

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14d(1) 1958 VIRGINIA ALEXANDRIA ARLINGTON

Arlington Schools Ban 30 Negroes

Court Is Told Of Special Test

By Don Irwin

Herald Tribune

ALEXANDRIA, Va., Sept. 2.—The Arlington County School Board disclosed in Federal District Court here today that it has already rejected the applications of thirty Negroes who have applied for admission to all-white schools for the term starting Monday.

P. 1

New York N.Y.

Dr. Bernard Joy, a board member, told Judge Albert V. Bryan that the applications had been examined and found wanting in the light of a five-point list of criteria. Another school official later conceded the same criteria are not applied to white children who seek transfers between schools in the wealthy Washington suburb.

Opening Put Off

Wed 9-3-58

Following the courtroom session, the Arlington School Board held an emergency meeting and voted unanimously to postpone the opening of schools in the county from Thursday until Monday. The decision, apparently taken to allow maneuver room after Judge Bryan hands down his decision, had the approval of Virginia authorities.

Dr. Joy's testimony came late in the first day of a suit brought on behalf of the thirty Negro children in an effort to compel their admissions when the new school term starts.

Herald Tribune

The suit, in which Judge Bryan is clearly aiming for a prompt decision, could provide a sharp test of Virginia's program of "massive resistance" to integration. On trial is the validity of a revised pupil placement law enacted by the 1958 Legislature which automatically closes any school where races are integrated.

Wed 9-3-58

New York N.Y.

While the court was in session, Virginia's Gov. J. Lindsay Almond jr. pledged to a news conference in Richmond that he would immediately close any school where integration is ordered under a final, unappealable court order. He made the comment in response to a query about the decision of the Norfolk school board to obey a court order directing admission of seventeen Negro children to a hitherto all-white school. That decision is technically appealable.

In the Arlington case, the county school board acted pursuant to an order of the Virginia Pupil Placement Board, an agency set up under the resistance program, which had already directed assignment of the thirty Negroes to all-Negro Arlington schools. Five of the children involved had been assigned to a white school last year under a much-appealed decision by Judge Bryan.

The criteria on which the state placement board and the county school board acted to reject the Negro applications for transfer were listed by Dr. Joy as follows:

1. Residence in relation to the school for which they applied for admission. (The applications affect two high schools, four junior high schools and one elementary school in Arlington County.)

2. Overcrowding in Washington & Lee High School, one of the highest rated high schools in the nation, which five of the Negroes applied to enter.

3. Academic accomplishment, said by school board witnesses to be substantially lower among the Negroes than among average white students.

4. Individual psychological problems, said to have been found among several of the Negro applicants.

5. Adaptability of the candidates to "new situations." Analysis of the application of the criteria showed that five applicants who apparently weren't rejected on the other counts were turned down for lack of "adaptability."

Frank D. Reeves, one of a battery of attorneys supplied the pupil-plaintiffs by the National Association for the Advancement of Colored People, seized hard on the question of "adaptability" in cross-examining Ray E. Reid, divisional superintendent of schools.

Counsel asked if the witness would subscribe to the view that a Negro child who tries to transfer to a white school will find himself unable to adapt unless he is very bright.

"My professional opinion is that it is very difficult and in most instances impossible," Mr. Reid responded.

Mr. Reed, who said he had never worked in an unsegregated school during thirty-two years as a school man, was asked if the school board had applied the five criteria used on the Negroes to any other students seeking transfers.

"We have had no other students request transfers under similar circumstances," Mr. Reid replied. He said they wouldn't apply to white students seeking transfers because they are "not dissimilar."

"So your board makes this consideration only with regard to . . . racial transfers?" asked Mr. Reeves.

"It works out that way," Mr. Reid replied.

Asked if he recognized any groupings of children other than race, Mr. Reid replied that "ability is one." How about religion, asked Mr. Reeves, do Jewish children have trouble acquiring a sense of belonging in some groups?

"You are getting into a realm that is completely separated from public education," Mr. Reid contended. "I can't see that it has anything to do with public education."

"And race does?" said Mr. Reeves.

"I can't see that it does," Mr. Reid replied.

VIRGINIA DISPUTE CENTERS ON RABBI

Alexandria Cleric's Sermon on School Closings Leads to Political Charges

New York N.Y.

By Religious News Service

ALEXANDRIA, Va., Oct. 4—A Virginia rabbi became a center of controversy here as a result of a Yom Kippur sermon. In it he voiced criticism of the political "machine" of Senator Harry F. Byrd, Virginia Democrat, for its "massive resistance" to racial integration and its action in closing public schools.

New York N.Y.

The controversy about Rabbi Emmet A. Frank of Temple Beth El quickly assumed political significance because Alexandria's Democratic Mayor Leroy S. Bendheim is president of the synagogue's board of trustees.

Sun 10-5-58

Mayor Bendheim acknowledged that he had called a special meeting of the board to "discuss" the sermon with the rabbi. He declined to express his own opinion of the sermon but said it had given rise to much controversy.

P. 72

Ministers in Jeopardy

A number of Protestant ministers have been threatened with loss of their pulpits for speaking out on the issue of racial segregation. Members of the Potomac Presbytery of the Presbyterian Church in the United States (Southern) recently addressed an overture to their national denomination asking for moral, and, if necessary, financial support of ministers who take a courageous stand on racial issues.

But this is the first instance in which a Jewish congregation has become involved in such a dispute.

Former Mayor Marshall J. Beverley of Alexandria, a cousin of Senator Byrd and candidate for the Virginia State Senate, in a political speech denounced the rabbi as a "100 per cent integrationist." He charged that the rabbi's attack on the Byrd organization constituted "a violation of separation of church and state."

In his sermon the rabbi had said that discrimination against one minority soon leads to persecution of others. He likened the racist appeals being made by segregationists in Virginia to those of Adolf Hitler when he started his rise to power.

The local chapter of the Defenders of State Sovereignty and Individual Liberties, a segregationist organization, called on Jewish congregations in northern Virginia "to move quickly to refute and condemn Rabbi Frank."

Spokesmen for the Defenders dropped a strong hint that Jewish merchants might expect economic reprisals unless they prove themselves "loyal Virginians."

URGES NEGRO PUPILS BE SEEN AS INDIVIDUALS

Educator Testifies in Virginia Court

Chicago Tribune

Alexandria, Va., Sept. 3 (AP)—A Negro college dean told federal court Wednesday that Negroes seeking to enter whtie schools in Arlington county should be considered individually, not as a group.

Chicago Ill

The testimony was given by Thomas H. Henderson of the College of Virginia University union at Richmond, in federal court proceedings.

Thurs 9-4-58

Henderson's presentation followed testimony by school authorities that 30 Negroes were refused admission to white schools for such reasons as low scholastic achievement and overcrowding.

Six Rejected as Group

Barnard Joy, school board member, testified that six Negro applicants to Stratford Junior High were rejected in a group. As a grou, he said they would be in the bottom 15 per cent scholastically if admitted.

P. 7

Frank D. Reeves, a lawyer from the National Association for the Advancement of Colored People, brought out that one of the six had a scholastic median score of 7.2. Joy acknowledged that about one third of the white students at Stratford scored no higher.

Henderson said one of the six had a test grade of 8.0 in the 7th grade of the Negro school he has been attending. The educator said this means the pupil was about a year ahead of the average 7th grader. He said another had scored 8.3.

All Are Qualified

He said all the Negro applicants to Stratford were qualified scholastically.

All Negro applicants to Stratford and other white schools were assigned to Negro schools.

Judge Albert V. Bryan, hearing the case, said these are the questions he must decide:

Is there evidence to support the assignments as made? Were the assignments capricious, arbitrary, or unlawful?

Arlington's is one of several cases which have reached the showdown stage in Virginia's policy of massive resistance to racial mixing in the schools.

Small Negro Population

Arlington, just across the Potomac river from Washington, has a tiny percentage of Negroes in its population.

The small but heavily populated county includes many thousand of government workers and others who came from areas far distant from the traditional southern climate of segregation. On the other hand, many families moved to Arlington from Washington in recent years with the acknowledged purpose of avoiding the integration that is in effect in District of Columbia schools.

Virginia law requires the closing of a school that is integrated by federal court order or otherwise. No school has yet been closed under the law.

School Authorities Finish

The school authorities close their case before Judge Brya early Wednesday.

Regarding Negroes who wer turned away from Washingtor Lee High school, Joy said th overriding reason was that th school is overcrowded.

Joy also testified it is th policy of the school board no to require that any child at tend a school in which a ma jority of the students are o another race.

Alexandria Makes New School Test

Alexandria has filed a motion to dismiss a desegregation suit filed last month by Negro parents.

The motion, in effect, will test the legality of the State Pupil Placement Board.

Alexandria Commonwealth's Attorney Earl F. Wagner filed the motion and an answer to the desegregation suit yesterday in Alexandria District Court.

Mr. Wagner asks that the dismissal petition be heard October [illegible] at 10 a.m. There was no immediate indication of when Judge Albert V. Bryan would hear the motion.

The dismissal action asserts that the plaintiffs, parents of 14 Negro students seeking admission to six white schools, failed to enjoin an "indispensable party," the State Pupil Placement Board.

Eve Star
P A 27
Washington
D.C.
Thurs
9-25-58

Placement Held Key

The motion says further that "the defendants are without power to grant or deny to any pupil enrollment in any public school in the city of Alexandria."

"The Pupil Placement Board alone" can do this, the motion states.

In the answer to the desegregation suit, Mr. Wagner says the Pupil Placement Act has "vested all power of enrollment and placement of pupils in and determination of school attendance districts for the public schools in Virginia . . . in the Pupil Placement Board."

Insist Error Made

The answer says that the Pupil Placement Act "has divested the local school boards and division superintendents of all authority now or at any future time to determine the school to which any child shall be admitted.

"The complaint is therefore directed at the wrong parties," the answer continues, "since the Pupil Placement Board alone can grant or deny any application. . . ."

In Arlington County's desegregation case earlier this month Judge Bryan did not rule specifically on the legality of the Pupil Placement Board. But he did say that it did not offer an expeditious procedure and is still linked to the State's school fund cut-off law.

Herald Tribune
N.Y.
[illegible]
Wed.
9-3

Herald Tribune—UPI telephoto

AT COURT HEARING ON INTEGRATION—Negro children arriving at Federal Court in Arlington, Va., yesterday for a hearing before Judge Albert V. Bryan on their plea to enter all-white schools.

Charlottesville Pupils Getting 3 Rs In Pine-Paneled Basement Dens

By PAUL HOPE
Star Staff Writer

CHARLOTTESVILLE, Va., Sept. 24. — Massive resistance took on a pine-paneled flavor here today.

Star

About 335 students, displaced when an elementary school was shut down to avoid integration, began their school year in basements of 15 private homes.

Washington
Star

The basements — most of them paneled recreation rooms — are a far cry from the facilities at white-pillared Venable Elementary School. But the parents who banded together to get this "interim" program [illegible] believe the children can go on assimilating the "basics" while they wait for the public school to reopen.

Wed
9-24-58

Most of the parents are hoping the makeshift arrangement will not last long, but so far Gov. Almond has given residents little encouragement that the public schools will be reopened soon.

A group of 31 first-graders got their baptism of education in the basement recreation room of the Gordon Harris home at 305 Kent road. Their teacher is Mrs. Nancy Strong, a public school teacher, also is on an enforced vacation from Venable.

At the home of Earl Martin, [illegible] Westview road, members of a seventh-grade class arrived with their folding chairs and took up quarters in a recreation room that showed indications of a sportsman in the family.

Va.

Four guns, one of them an antique muzzle loader, were securely fastened to one paneled wall. The 12 and 13 year olds faced an antlered deer head off to one side, over the bar. The hunter is Mr. Martin, who operates sheet metal and roofing plants in Richmond and Charlottesville.

Mrs. Martin said she is sending her seventh-grade son to another home for his classes. "[illegible] would be trying to run [illegible] if he went here," she [illegible]

[illegible] housewife said [illegible] be some changes in the daily household routine.

"We couldn't run the washing machine (which is in another basement room) when the classes are going on," she said.

Across the street from the Martin home is a large vacant lot, which the city manager has promised to have cleaned off for use as a play area during recess.

Another mother, Mrs. G. Warren Nutter, who has offered her basement for a seventh-grade class, said she expects the interim program to work out all right.

"My oldest girl went to private school in the first grade in a converted garage, and it worked out very satisfactorily," she said. "I think this will provide good interim teaching and that's certainly all it is designed for."

Classes run from 9 a.m. to 2 p.m., with instruction furnished by Venable teachers. Students who are within easy walking distance of the classrooms go home for lunch; the others bring theirs.

Children bought books Monday and yesterday at the Venable school office. George Connor, a sixth-grader, took advantage of the sale to peddle his last year's fifth-grade books. George, who signed up for one of the classes today, said the makeshift arrangements "are better than not going to school at all."

As these 15 classes got under way, two other groups were awaiting provisions being made for them. They are students of Lane High School and another section of Venable children.

Star

Arrangements for those attending today were made by the Parents Committee for Emergency Schooling. Another Venable group of about 200 has signed up with the Charlottesville Education Foundation, which expects to begin classes Friday in a large vacant house staffed with Venable teachers.

Wed 9-24-58

The total registered by the two groups represents nearly all of the Venable student body.

The two parent groups are meeting today to work out a co-operative arrangement for handling high school instruction. Representatives of the two organizations agreed, at a four-hour closed meeting yesterday, to co-operate after the high school teachers urged that a single organization be set up.

Under the arrangement agreed on yesterday, the emergency educational program for high school students will be the sole responsibility of the teachers, who have volunteered their services until the school is reopened. Arrangements for facilities and equipment will be handled by a committee set up by the two parent groups.

Classes Called Off

Dr. David McKeith, a teacher representative, who attended yesterday's closed meeting, said classes probably will start Monday.

The Educational Foundation had planned to start classes for seniors today in the Elk's Club hall, but called it off pending the setting up of the new joint committee. The Foundation yesterday registered 121 of the 140 member senior class.

Meanwhile, the League of Women Voters unit from Albemarle County and Charlottesville voted yesterday to seek return of the two closed schools to local operation.

The resolutions passed by the league asked that the school board and city council petition the Governor for return of the schools and asked the State League to petition the Governor to call a special session of the General Assembly to repeal the massive resistance laws.

The league also reaffirmed a previous stand opposing withholding of State funds from communities complying with Federal desegregation orders and opposing the use of public tax money for tuition grants for private schooling.

Last night, segregation leader E. J. Oglesby told the nearby Madison Lions Club that the "hard core of resistance isn't going to budge an inch."

Mr. Oglesby, head of the local chapter of the Defenders of State Sovereignty and Individual Liberties, said he expects the Albemarle County school board to make laboratory facilities at the county high school available to the displaced Lane students. Mr. Oglesby, a professor at the University of Virginia, is a member of the Albemarle school board.

Pupils Well Behaved In Substitute Schools

14d(1) Va

By PAUL HOPE
Star Staff Writer

CHARLOTTESVILLE, Va., Sept. 5.—Virginia's first makeshift school system got through its first day with few hitches, but several of the organizers wondered if what they wrought might not delay reopening of closed public schools.

Evening Star

Lane high and Venable elementary schools were closed Monday under the State's anti-integration program.

Yesterday about 335 well-scrubbed students of Venable attended opening day classes in the basements of 15 private homes. The youngsters were well behaved and went through study schedules similar to those they would have had in public school.

PA 29

Washington
Star
Thurs.
9-25-58

"We're feeling our way from day to day, but we have a good schedule," said Mrs. Miriam McKieth, a seventh grade teacher.

Volunteer teachers from the public school are giving instruction and setting up study schedules. The parents arranged the facilities, provided equipment and are doing the cleaning up and tending to other non-instructional details.

Parents Quizzical

This was the first attempt at mass private education for students locked out of public schools in the segregation crisis.

At the end of the day, parents and teachers said the makeshift arrangement appears likely to provide good interim education until Venable is reopened.

But several of the parents leading the movement admitted privately they have misgivings about the effect their system will have on efforts to reopen the school.

"We had to do something to get the children in classes," said one of the 10 mothers who organized the classes. "Yet, we are afraid that even operations like this may result in State officials being complacent about getting our schools opened."

"The agony is over now," said another mother who donated her recreation room for one of the classes. "The children are settled now, and I wonder if this might not lessen the pressure to get the school reopened."

Recent Program

The basement education program was arranged by the Parents Committee for Emergency Schooling, an organization formed by 10 mothers only a few weeks ago. Most of the parents who enrolled their children probably would accept some integration to get the public school open.

However, another organization, the Charlottesville Education Foundation, led by segregation-minded parents, has enrolled about 200 Venable students and plans to start classes Monday in a vacant home. This organization plans to continue private classes if the school is reopened on an integrated basis.

The two organizations formally agreed yesterday, under pressure Lane High School teachers, to set up a joint committee to get emergency high school education underway.

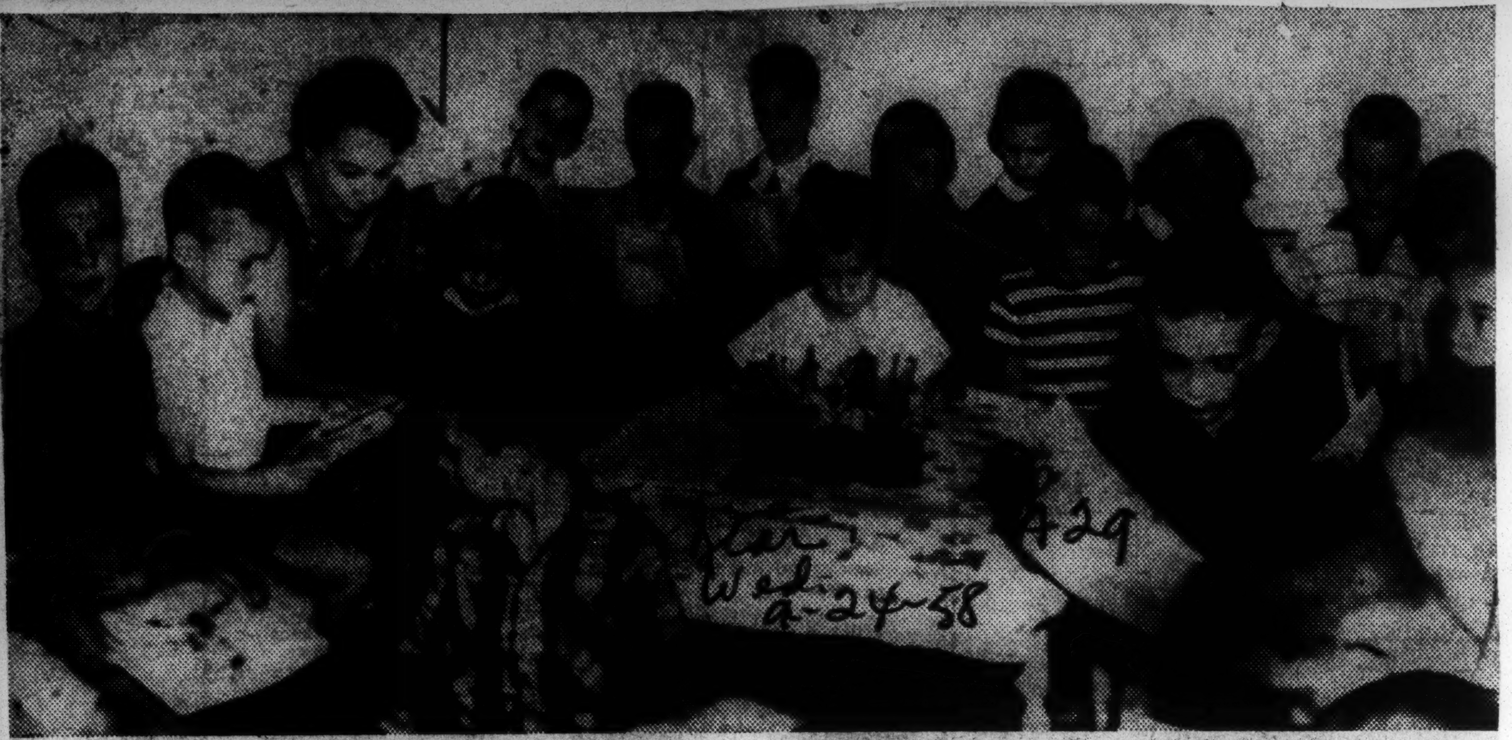
The education foundation said it agreed to the joint arrangement only because refusal to do so "could only result in further delay in inaugurating a school program."

Briefing Set for Today

Lane seniors will report to the Elk's Club hall today for briefing. Juniors will report tomorrow and arrangements for other grades will be made as soon as possible, the joint committee said. No date has been set yet for the actual beginning of classes, but members of the committee indicated it would be within a few days.

The instructional program will be the sole responsibility of the teachers, and arrangements for facilities and equipment will be made by the joint parents committee.

Most of the high school classes will be held in facilities obtained by the education foundation. These include the Elk's Club hall, a quonset hut once used by a parochial school and several church properties.



Star, Wed. 9-24-58

A 29

BASEMENT EDUCATION BEGINS—Miss Marion Trevillian, a first-grade teacher at the closed Venable Elementary School in Charlottesville, began teaching 23 displaced first-graders in her basement yesterday in the first attempt to continue education while Venable and Lane High are closed to avoid integration. More classes are due to get under way today.—AP Wirephoto.

CHARLOTTESVILLE STUDENTS SPLIT ON REOPENING SCHOOL

CHARLOTTESVILLE (AP).—The president and the vice president of Lane High School's student council have split over the question of reopening their school, which was closed down Monday to block racial integration.

Jon Bailey, senior and president of the student council, is the leader of a group of students circulating petitions asking the Governor to reopen the school. The petition makes no mention of possible integration.

The student council vice president, Frances Webster, and four other senior girls wired Gov. Almond yesterday asking him to ignore the petition. The telegram stated the majority of Lane students backed the Governor in his program.

Meanwhile, seniors registering for private classes yesterday were asked by fellow students to sign the petition. Many added their names to the list.

Robert S. Goodman III, whose father is chairman of the city school board, is one of the approximately 50 students circulating the petition.

Star

[illegible] A 29

Va

Wed 9-24-58

Washington, D.C.

Va. Teachers Urge Almond To Call Legislative Session

News & Observer

Fri 10-31-58

P. 1

Raleigh

RICHMOND, Va., (UPI) — The Virginia Education Associatiin, representing 25,000 white public school teachers, Thursday called for a special session of the General Assembly to insure that Virginia preserves its public school system despite the integration crisis.

Gov. J. Lindsay Almond, to whom the VEA's appeal was addressed, went before the teachers group a few hours after it voted and called for patience and understanding in the crisis which has closed nine Virginia schools.

Almond, in a speech prepared for a Thursday night session of the VEA convention, said he could not predict the future, but added that "the question becomes one of surrender or continued exercise of every legal and honorable means at our command to resist" integration.

His text made no mention of a special session.

The VEA convention, attended by some 1,800 persons, overwhelmingly adopted resolutions stating its grave concern over the closing of schools to avoid integration. It urged Almond to call the Legislature into special session at "an early date" to enact laws that would keep the state in the public school business.

The vote came after the convention beat down substitute resolutions that would have given, in effect, strong support to the state's anti-integration program.

A delegation from Norfolk, where six schools have been closed to prevent integration, led the fight for adoption of the resolutions as presented by the VEA's resolutions committee and approved by the organization's 20-member board of directors.

A principal of one of the closed Norfolk schools, S. R. Butler of Northside Junior High, made an impassioned plea for adoption of the resolutions which carried.

A Richmond teacher, Mrs. Marion Morton, said the resolution for a special session would be "misunderstood that we are seeking primarily (to preserve) our jobs" and offered a substitute.

Her proposal, which was beaten down 650 to 151 on the only standing vote taken, would have pledged support to the governor and the General Assembly "to operate the schools of Virginia on a sound constitutional basis in accord with the highest principles of statesmanship."

Another educator, A. G. Carter of Halifax County, argued for adoption of Mrs. Morton's resolution and offered a substitute of his own for the proposal expressing grave concern over the school closings.

Carter, who teaches in an area that has consistently supported the state's "massive resistance" program, said he saw no reason to urge the governor to call a special session until Almond himself felt one was necessary.

The governor, Carter said, "has said he would call a special session when it is necessary."

Almond's address to the teachers, his first public statement on the school question in a week, blasted the Supreme Court and said "The children of Virginia will be educated."

He said that the nation has watched Virginia's efforts to set up education "through their own resources . . . with well-founded pride in the character of Virginia people who have again accepted adversity with calmness and turned it into a challenge of greater achievement."

"The fundamental issue before this nation today," he said, "is the preservation of our system of government."

Mon 11-3-58

Virginia Teachers Ask Action To Save Schools

Courier-Journal

P. 1 Fri 10-31-58

Request Extra Legislative Session; Governor Calls for Patience, Doesn't Promise Anything

By The United Press

Richmond, Va., Oct. 30.—The Virginia Education Association, representing 25,000 white public-school teachers, called Thursday for a special session of the General Assembly to save the Virginia public-school system in the integration crisis.

Governor J. Lindsay Almond, to whom the V.E.A.'s appeal was addressed, went before the teachers a few hours later and called for patience and understanding in the crisis which has closed nine Virginia schools.

Almond, in a speech to a night session of the V.E.A. convention, said he could not predict the future, but added, "The question becomes one of surrender or continued exercise of every legal and honorable means at our command to resist" integration.

Louisville Ky.

Chief Justice Earl Warren says that if the Federal Government has infringed on states' rights, it was generally "only when the states themselves have failed to meet the needs of the people." Contributions to the Little Rock Private School Corporation have reached $150,000. Stories are on Page 3.

He made no mention of a special session.

The V.E.A. convention, attended by some 1,800, overwhelmingly adopted by voice vote resolutions stating its grave concern over the closing of schools to avoid integration. It urged Almond to call the Legislature into special session at an early date to enact laws that would keep the State in the public-school business.

The vote came after the convention beat down substitute resolutions that would have, in effect, given strong support to the State's anti-integration program.

Principal Pleads for Resolutions

A delegation from Norfolk, where six schools have been closed to prevent integration, led the fight for adoption of the resolutions as presented by the V.E.A.'s resolutions committee and approved by the organization's 20-member board of directors.

A principal of one of the closed Norfolk schools, S. R. Butler of North Side Junior High, made an impassioned plea for adoption of the resolutions.

"We come from a city where there are closed schools," Butler said. "We have 1,450 children (at North Side) kept out of school by one Negro student who would enter. I'm personally opposed to integration, but we are paying a price and the situation can't continue as it is.

Courier Journal

Fr 10-31-58

"I've seen parents shed tears in my office. School patrons want to know what they can do."

His plea drew prolonged applause from most of the delegates.

A Richmond teacher. Mrs. Marion Morton, said the resolution urging a special session would be "misunderstood that we are seeking primarily (to preserve) our jobs."

She offered a substitute that would have pledged support to the Governor and the General Assembly "to operate the schools of Virginia on a sound constitutional basis." It was defeated 650 to 151.

Another educator, A. G. Carter, Halifax County, offered an amendment that would have put the V.E.A. on record as stating the objectives of a public-school system ean "best be effected by supporting the Governor and the General Assembly." This also was defeated.

U.S. Judges To Hear Va. School Suit

News Courier

Charleston S.C.

Tues. 11-4-58

P. 14

NORFOLK, Va. (AP)—A panel of three federal judges will hear the first of three suits challenging Virginia's massive resistance laws here Nov. 19, U.S. Dist. Judge Walter Hoffman announced Monday.

Hoffman denied a motion that the hearing be postponed until a test case of the same anti-integration laws can be heard before the Virginia Supreme Court of Appeals.

The state administration asked the state's high court several weeks ago to rule on the constitutionality of the laws, under which nine Virginia public schools —six of them in Norfolk — have been closed to avert integration.

The suit to be heard here was filed Oct. 27 in behalf of a group of Norfolk white children.

Hoffman announced the date of the hearing after attorneys for the National Assn. for the Advancement of Colored People submitted a supplemental motion listing Gov. J. Lindsay Almond Jr., and other state officials as defendants in another suit on behalf of seven Negroes who applied for admission to the six closed schools here.

The original NAACP suit listed the Norfolk School Board as defendant.

White Virginia Teachers Plead For Opened Schools

RICHMOND, Va. (UPI) — The Virginia Education Association, representing 25,000 white public school teachers, called Thursday for a special session of the General Assembly to save the Virginia public school system in the integration crisis.

Gov. J. Lindsay Almond, to whom the VEA's appeal was addressed, went before the teachers' group a few hours later and called for patience and understanding in the crisis which has closed nine Virginia schools.

Almond, in a speech prepared for a Thursday night session of the VEA convention, said he could not predict the future, but added that "The question becomes one of surrender or continued exercise of every legal and honorable means at our command to resist" integration.

His text made no mention of a special session.

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The vote came after the convention defeated substitute resolutions that would, in effect, have given strong support to the state's anti-integration program.

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"We come from a city where there are closed schools," Butler said. "We have 1,450 children at Northside kept out of school by one Negro student who would enter. I am personally opposed to integration," he said, "but we are paying a price and the situation can't continue as it is.

"I've seen parents shed tears in my office," he said. "School patrons want to know what they can do."

His plea drew prolonged applause from most of the delegates.

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Courier
[illegible] 10-31-58

Courts Are Blamed For Closed Schools

News Courier
Charleston, S.C.
[illegible] 10-31-58

RICHMOND, Va. (AP) — Gov. J. Lindsay Almond Thursday night blamed the federal courts for keeping nine schools for white children closed in Warren County, Charlottesville and Norfolk.

He said it had been his hope if the day of school closings arrived that laws enacted by the General Assembly along with the school closing laws could be put into play, to reopen them, at least partially, on a segregated basis. But, he added:

"The federal judiciary, leaping ahead to foreclose by prejudgement the exercise of any means left to the states to operate their affairs as they might deem best, has succeeded in keeping the schools closed.

"I place the blame exactly where it belongs."

Almond spoke to an evening assembly of the Virginia Education Assn., whose delegates earlier in the day voted to call on him to convene an early session of the General Assembly to reassess the massive resistance program and assure the continuance of state supported public schools.

But the governor gave no indication he was ready to call a change in signals on the school closure laws enacted under Gov. Thomas B. Stanley's administration and firmed up by additional statutes Almond proposed.

"If we yield, the harvest will be chaos and confusion destructive of the educational process," Almond said in his prepared address.

The governor did not go into particulars on how he thought the federal courts had pre-empted any action on his part to try to operate schools under what he referred to as "the reserved powers of the commonwealth."

The governor told the VEA he was unable to predict what the future held. He conceded he did not have the means at his disposal to reopen the schools on a segregated basis — something he said he would do tomorrow if he could.

The question now, he went on, now becomes one of surrender or continued resistance with "every legal and honorable means at our command."

14d(1) 1958

VIRGINIA

Reopening of Schools Postponed in Virginia

From Wire Reports

Gov. J. Lindsay Almond Jr. of Virginia Thursday deferred "for the present" further consideration of reopening certain grades in integration-closed schools in Norfolk and Charlottesville.

Constitution

The governor issued separate statements on the situation in the two cities, one after a morning conference with Charlottesville school officials and the other after a late afternoon session with Norfolk school authorities and their counsel.

Arkansas attorney general calls for southwide drive against NAACP. Page 6.

Almond gave no explanation for abandoning consideration of the reorganization of the schools at this time.

Atlanta Ga.

His statement in the Charlottesville case was the longer because he congratulated the city's citizens for their successful efforts in setting up emergency private schooling for the 1,700 displaced pupils of Lane High and Venable elementary schools.

Fri. 10-3-58

About 10,000 children are idle in Norfolk because of state closure under its massive resistance to integration programs of six schools—three junior and three senior highs.

P. 1

Also out of class are 1,000 pupils of Warren County High at Front Royal.

In Little Rock, Gov. Faubus said he will hold a news conference Friday to discuss the private - school - in - private - classroom plan. Until then, he said, he will have nothing to say.

A Little Rock lawyer disclosed that he will go to the Supreme Court with a [illegible] allow Faubus [illegible] the U.S. Su[illegible]

schools if his private-schools-in-private-classrooms plan fails.

The lawyer, Kenneth Coffelt, said he will appeal to the Arkansas Supreme Court a chancery (district) court's refusal to rule on the constitutionality of the special law under which Faubus closed the schools.

If the Arkansas Supreme Court decides the law is unconstitutional, Faubus would have no law under which to keep the schools closed.

SCHOOL OPENINGS ASKED IN NORFOLK

City Urges State Act Under Segregation Law—Parent Unit Backs Integration

By JOHN D. MORRIS

Special to The New York Times.

Times
New York, N.Y.
Wed. 10-1-58
P. 23

NORFOLK, Va., Sept. 30 — The Norfolk City Council, invoking an almost forgotten law, called on the state government today to reopen public schools here and operate them on a racially segregated basis.

The law, one of Virginia's anti-integration statutes, requires the state to do this if the local governing body adopts a resolution stating the need and declaring an emergency to exist.

The Norfolk Council acted by a vote of 7—0 and without public debate or explanation.

It was apparent that the move would prove to be only a gesture. If Gov. J. Lindsay Almond Jr. tries to operate the schools as proposed, the Federal District Court here would doubtless enjoin him from barring the admission of Negroes.

Six Schools Closed

Norfolk's three white high schools and three of its four white junior high schools were shut down yesterday in accordance with a Virginia law that requires the closure of any school to which white and Negroe pupils have been admitted. The Norfolk Board of Education has assigned seventeen Negroes to these schools by order of Federal District Judge Walter E. Hoffman.

As a consequence, 10,000 enrolled pupils were locked out of the six schools.

The City Council's action came in the face of widespread demands by parents and ministers that the schools be reopened under an entirely different state law.

That statute authorizes the Governor to return the schools to local authorities for operation in compliance with a court's integration order if both the local school board and the local governing body request him to do so. In such an event, however, state funds for the schools' operation are automatically shut off.

One possible effect of the resolution adopted by the council will be to embarrass Governor Almond, who has said he will not seek to pit his authority as chief executive of a "sovereign" state against the power of the Federal courts.

He had made it clear that he would not thus challenge any Federal court orders. In line with that policy, he can be expected to bow to a probable injunction by Judge Hoffman against operating the Norfolk schools on a segregated basis.

Judge Hoffman, in issuing such an injunction, could strengthen the decision by citing yesterday's Supreme Court ruling against "evasive schemes for segregation."

Another possible effect of the council's action will be to confuse local public opinion by giving the impression that this is an effective step toward reopening the six schools. Members of the council said privately that they did not actually expect the move to result in opening the schools.

The council's resolution was devised behind closed doors yesterday at a meeting of its members with members of the school board and state legislators from Norfolk.

Among those present at the closed session was William L. Prieur Jr., who is the chief lieutenant here of the dominant state Democratic organization headed by Senator Harry F. Byrd.

The Byrd organization, of which Governor Almond is a part, sponsored Virginia's anti-integration or "massive resistance" laws.

The resolution was offered at today's open session by W Fred Duckworth, mayor of Norfolk and president of the City Council.

Mr. Duckworth said it was part of a "step-by-step" program aimed at reopening the schools.

He said the next step, in three or four weeks, would be to put the issue before the city's voters in an advisory referendum. The question would be whether to ask the Governor to return the administration of the schools to local authorities for operation in compliance with Judge Hoffman's desegregation decree.

"Then we could go to the Governor and have something to go to him with," Mr. Duckworth declared.

At another point, however, he remarked: "I don't have the slightest idea in hte world that he would do it."

Later Mr. Duckworth told reporters he was sure that a majority of Norfolk's voters would oppose such a move. Mr. Duckworth offered the resolution at the start of a hearing at which parents, clergymen and others urged action by the Council to reopen the schools, regardless of whether this would necessitate some integration. A number of petitions to that effect were also presented.

Mr. Duckworth told one of the witnesses that the schools could be reopened tomorrow if the seventeen Negroes seeking admission would withdraw their applications.

He assailed the National Association for the Advancement of Colored People for choosing Norfolk as one of four Virginia communities in which to press the school integration issue.

No other Virginia city has done more for the advancement of Negroes through slum clearance and similar measures, he said.

The mayor also asserted that the city's white citizens paid 95 per cent of the taxes and that Negroes were responsible for most of its crime problems.

Virginia Schools To Stay Closed

Almond Drops Reopening At Charlottesville, Norfolk

LAWS MAY BE ILLEGAL

By United Press International

Commercial Appeal
Memphis, Tenn.
Fri. 10-3-58
P. 7

Virginia Gov. J. Lindsay Almond dropped plans yesterday to reopen segregated classes in public schools the state closed to keep out Negroes.

Governor Almond announced he was abandoning plans to partially reopen Charlottesville schools because an emergency private school program has met the situation adequately.

Norfolk Also Deferred

But the Governor gave no reason for his decision to defer reopening plans for Norfolk's six white junior and senior high schools where 10,000 students are idle.

Some quarters interpreted the decision to delay the school reorganization plans as uncertainty by the Governor as to the constitutionality of one of Virginia's anti-integration laws.

The delay means about 12,700 students in the two cities will continue to attend makshift classes in homes and churches under private sponsorship.

Governor Almond issued the announcements after separate conferences with Norfolk and Charlottesville school officials and their lecal advisers.

In Florida, Gov. Leroy Collins said he was drafting a bill he hopes will lead to congressional action to ease the south's integration woes.

Would Curb Courts

He said he would submit the plan, virtually stripping Federal Courts of their power to force school integration, to the executive committee of the nation's governors. Governor Collins is chairman of the national governor's conference.

Other school integration developments around the South:

In Charlotte, N. C., the school board accepted two more Negro pupils to integrated or previously all-white schools. One was assigned to an all-white school in one of the city's best residential sections. Four now attend integrated classes in three Charlotte schools.

Signs reading "Nigger," "KKK" and "Mau Mau" greeted students as they arrived for classes at the New Orleans branch of Louisiana State University. The signs were painted in letters 18 inches high on school buildings.

Reopening Of Schools Postponed

Journal
P. 7
Fri. 10-3-58
Knoxville, Tenn.

RICHMOND, Va., Oct. 2 (AP)— Gov. J. Lindsay Almond Jr. today deferred "for the present" further consideration of reopening certain grades of integration closed schools in Norfolk and Charlottesville.

The action came after Almond appeared about ready today to announce a reorganization of the six integration-closed Norfolk schools, although earlier he decided against reopening two Charlottesville schools.

He congratulated the Charlottesville citizenry on the job it is doing to provide private schooling for the 1700 displaced Lane High and Venable elementary schools.

Then in midafternoon he went into a huddle with Norfolk school officials and attorneys and top legal and education officers of the state. No private schools are operating as yet in Norfolk and some state officials seem to feel that the same degree of efficiency cannot be obtained in Norfolk that has been achieved in Charlottesville.

14d(1) 1958

VIRGINIA

CATHOLIC CHURCH

VIRGINIA DIOCESE IS HAILED AS OASIS

27,000 Catholic Pupils Have Attended Desegregated Classes for 4 Years

North American Newspaper Alliance.

New York Times

RICHMOND, Va., Sept. 4.—While Virginia struggles to keep alive its segregated public school system, about 27,000 children are attending integrated Roman Catholic parochial schools without incident or objection.

In Norfolk, where 10,000 white students have been locked out of the city's six high schools and junior high schools to avoid integration, thirty Negro children are sitting in classes with 495 white pupils at a Catholic high school.

In Alexandria, where the school board is fighting the admission of twelve Negroes to public schools, ten Negro girls are attending St. Mary's Academy for Girls.

Similar examples can be found throughout Virginia where parochial schools have been a calm oasis in the integration turmoil since the late Most Rev. Peter L. Ireton, Bishop of the Diocese of Richmond, abolished racial barriers on May 7, 1954.

The Bishop's action came ten days before the Supreme Court integration decision.

Gov. J. Lindsay Almond Jr.'s "massive resistance" policy has closed school doors to 12,700 white children in Norfolk, Charlottesville and Front Royal to bar the entry of fifty-one Negroes under Federal court orders.

Sept 5 58

p. 72

But approximately 150 Negro youngsters are enrolled in sixty-eight Catholic parochial schools of Virginia, not counting those attending exclusively Negro academies and schools.

'No Trouble or Difficulty'

The integration has been so quiet that diocesan school officials are reluctant to boast too much about it.

But the very Rev. J. L. Flaherty, school superintendent for the diocese, said there had been "no trouble or difficulty" of any kind in the four-year integration.

His words were echoed by the Rev. Richard J. Burke, principal of Norfolk's Catholic High School, and the Rev. John Geelan, a New York Negro priest who is rector of St. Joseph's Parish in Alexandria. "We've had no problems—and we don't anticipate any," said Father Burke.

"Ten of our young women are going to St. Mary's Academy," volunteered Father Geelan. His Negro district parish includes a parochial school for 204 Negro boys and girls. Father Geelan likewise revealed that he received one application this year from a white first-grader whose father was stationed at the Army's Fort Belvoir nearby.

First Grade Crowded

"We had to turn him down along with many Negro applicants because our first grade is so overcrowded this year," the priest said.

There are 119 Catholic high schools in the diocese, including five in Richmond and a Negro high school in Portsmouth.

Generally speaking, the presence of Negro youngsters in parochial classrooms depends on the locality of the school. Some schools have none because their parishes have no Negro church members.

School principals who have no Negro pupils said flatly, however, that if a Negro youngster applied they would give him "the same opportunity as a white Catholic youngster."

In the traditional Southern pattern, Catholicism is not dominant in Virginia. In Alexandria, one of the earliest Virginia settlements, there are only about 400 Negro Catholics.

14d(1) 1958

Norfolk Set To Integrate, Seeks Delay

Herald Tribune

Ready to Enroll Negroes, But Virginia Law May Close School

P. 1 New York N.Y.

The integration battle elsewhere—the Arkansas legislature voted funds for an investigation of the "Communist influence" in the N. A. A. C. P.—Page 2.

Sat 8-30-58

By The Associated Press

NORFOLK, Va., Aug. 29.—The city school board yielded to the pressure of a Federal court desegregation order today and announced it will assign seventeen Negro children to white schools.

However, it appealed to Federal District Judge Walter E. Hoffman to put off the day of integration from Sept. 8, when schools are due to open, until September, 1959.

Enrollment of Negro children in white schools, even on paper, would automatically close these schools under Virginia's no-integration laws. Still another law would cut off state funds to the affected schools.

First Yielding in State

The school board said admission of the seventeen Negroes this year would "unduly interfere with the proper administration of the schools affected." An extra year, it argued in a motion, is needed to prepare residents of this port city and school officials for "profound changes."

This is the first time a school board in Virginia has said it would assign Negroes to white schools. A Federal judge has directed the admission of specific Negroes to white Arlington County schools and that locality faces the prospect of closed schools next month, also.

Gov. J. Lindsay Almond jr. was vacationing and unavailable for comment.

Sees Day-to-Day Basis

Judge Hoffman implied that he would reject the request for a delay unless the United States Supreme Court permits a two-and-one-half year delay in integration at Little Rock, Ark. Such a ruling, Judge Hoffman said, "undoubtedly would put a different complexion on this case." And he remarked: "We apparently are living on a day-to-day basis in this matter."

The Supreme Court hears further arguments in the Little Rock case Sept. 11, three days after Norfolk schools are scheduled to open.

J. J. Brewbaker, Norfolk school superintendent, said it was possible the school board might postpone the opening of schools a short time if it decides such action would be advantageous.

Herald Tribune P. 2 New York

The Norfolk school board is under an injunction issued by two State Supreme Court justices which forbids it assign any pupil to any of its schools, white or Negro. Under state law, all assignment power is vested in a three-member State Pupil Placement Board.

Will Ask Protection

Hy Sat 8-30-58

A state spokesman said, however, that since the Norfolk Board told Judge Hoffman only that it "will" assign the Negro pupils, and has not yet formally assigned them, no action is possible at this time against the board for violation of he injunction.

Contemplating such action when it does make the assignments, the board told Judge Hoffman today it would petition him for protection. As a Federal judge he can enjoin state courts from taking action against he board as an outgrowth of the injunction.

The seventeen Negroes who will gain assignments to white schools here applied for the city's three white high schools and three junior high schools. They were among 151 Negroes whose applications for white schools originally were rejected under a local assignment plan.

Of the seventeen, sixteen were turned down because their presence in white schools would cause racial tensions, or because of possible isolation among white schoolmates. The other child was rejected because he did not meet scholastic requirements for the eighth grade. A recheck showed he had applied for the seventh grade and his application then was approved.

Reply on Tensions

Judge Hoffman told the school board Monday isolation and tensions were not valid grounds for rejecting applications. He told the board to reconsider all 151 Negro applications in the light of his instructions.

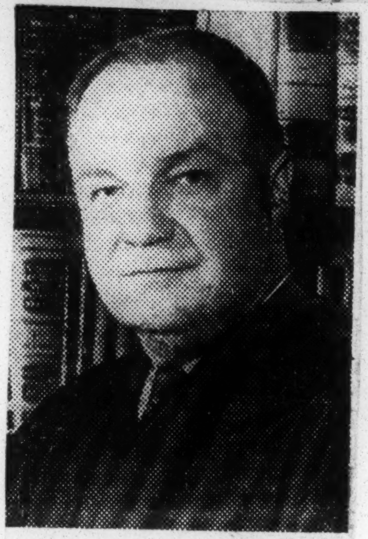
In the report read to Judge Hoffman today, school board chairman Paul Schweitzer said:

"Contrary to what all of the members of the school board and the division superintendent of schools honestly and sincerely believe is in the best interests of the applying children, the children in the affected schools and the public in general, but pursuant to the law as interpreted by the court and the duties required of the defendants . . . the board will assign the seventeen Negroes to white schools."

Norfolk's estimated population is 290,000, about 25 per cent of it Negro. The city has thirty-six white schools and twenty Negro schools.

VIRGINIA

The school board said the school population is about 66 that the state will provide 25 per cent white. It is estimated per cent of the operating budget for schools in the next year.



Associated Press

Federal Judge Walter E. Hoffman, who yesterday heard an appeal for a delay in school desegregation in Norfolk, Va.

School Race Case Motion Withdrawn

Times-Union

NORFOLK, Va., Oct. 10 (AP) — Attorneys for 17 Negro pupils today withdrew a motion to reopen Norfolk's six integration-closed schools after a federal judge said he would dismiss it because "the proper parties" were not made defendants.

Jacksonville Fla.

Oliver W. Hill, attorney for the National Assn. for the Advancement of Colored People, asked by newsmen if the motion would be redrafted to name Gov. J. Lindsay Almond Jr. a defendant, said, "We will have to consider it in the light of the court's remarks."

Sat 10-11-58

During Hill's argument in support of the motion, U.S. Judge Walter E. Hoffman said it would be a waste of time to order the school board—the defendant in the action—to reopen the schools as they are now under the governor's control.

P. 2

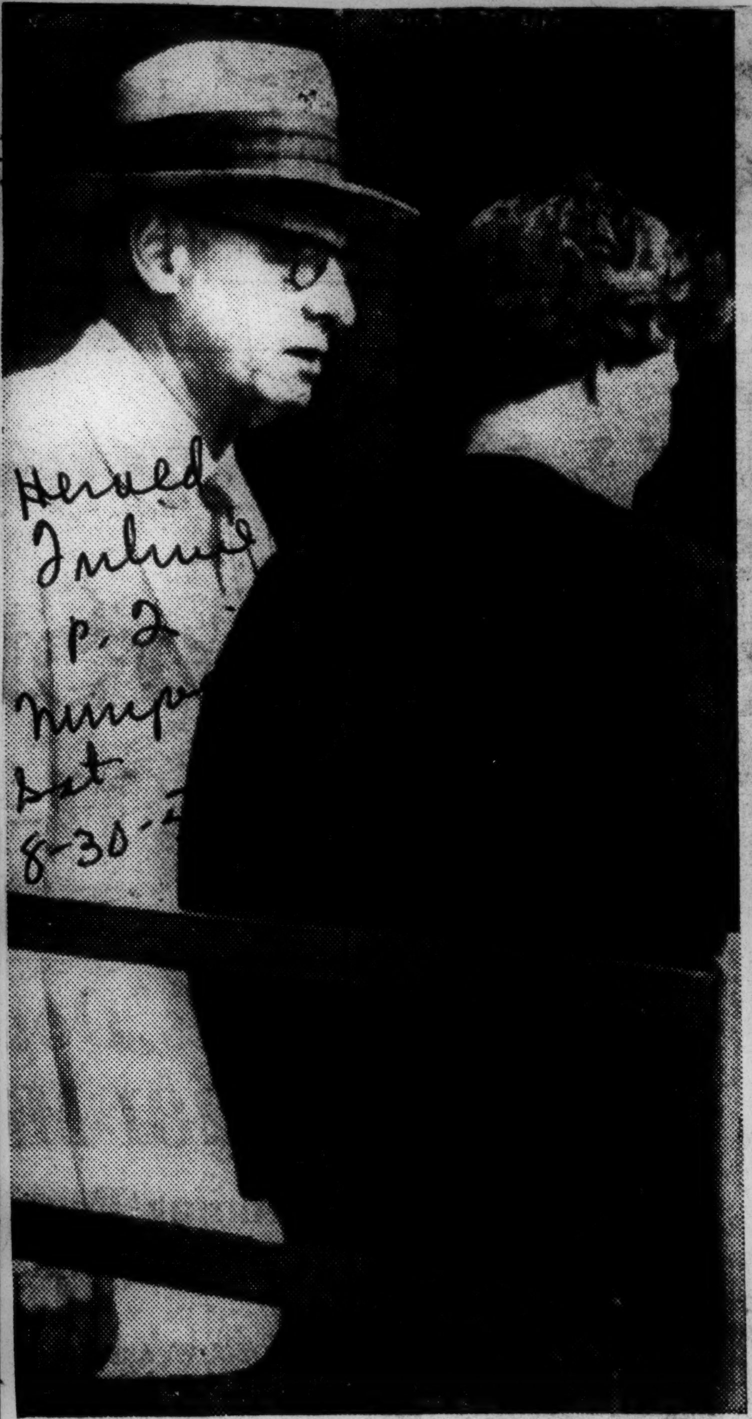
The schools were closed automatically Sept. 29 under state anti-integration laws after the school board enrolled 17 Negroes in compliance with Hoffman's 19-month old desegregation order.

Today's motion asked Hoffman to enjoin the school board and "all persons in active concert or participation" with it from interfering with operation of the six schools under the court's desegregation order.

"You are in effect asking an injunction against the governor of Virginia, who is not a party to this proceeding," Hoffman told Hill.

And the judge reminded Hill that when the motion was filed Monday he had said he thought the school board had gone as far as it could, and had suggested the motion be amended to include the governor as a defendant.

"I don't see what good it would do to enter an order which the board cannot carry out," Hoffman said.



Herald
Tribune
p. 2
Newyo
Sat.
8-30-

NORFOLK WHITE SCHOOLS TO ADMIT NEGROES —Paul G. Schweitzer, chairman of the school board in Norfolk, Va., talking with a reporter yesterday after the board had voted for integration despite a state prohibition.

Herald Tribune
p. 2
Newyork, N.Y.
Sat. 8-30-58

Herald Tribune—UPI telephotos

SHE'LL ATTEND WHITE SCHOOL—Betty Reed, one of seventeen Negro children scheduled to enter a previously all-white high school next month. With her are two boys whose applications were rejected yesterday.

School Transfer Sought By 10 Newport Negroes

Washington Post

Washington, D.C.

NEWPORT NEWS, Va., Sept. 4 (AP)—Federal District Court was asked yesterday for a temporary injunction restraining the Newport News School Board and school superintendent from denying the admission of 10 Negro children to a white school.

The suit, filed by W. Hale Thompson, an attorney for the National Association for the Advancement of Colored People, is in addition to the roiginal 1956 suit brought on behalf of 54 Newport News Negro children.

Thurs. 9-4-58

p. A18

The new suit also asked the Court to require the School Board to submit a complete plan for the desegregation of the city's public schools.

The 10 children now attend Booker T. Washington, a Negro elementary school. They are asking to be transferred to the white Walter Reed Elementary School.

Thompson added to the motion for the injunction that counsel for the Negro children would be in court at 10 a. m. Monday for a hearing on the motion.

Federal District Judge Walter E. Hoffman, in ruling on the 1956 Newport News and Norfolk desegregation cases, ordered the public schools of the two cities desegregated.

Clouding the status of the original case, however, is the consolidation of the old Newport News and Warwick into a new city of Newport News July 1. At a June 7 hearing Hoffman indicated the effects of the merger, if any, should be considered atfer the consolidation.

Newport News School Mixing Order Delayed

Montgomery Advertiser

Montgomery, Ala.

NEWPORT NEWS, Va. (AP) — U.S. Dist. Judge Walter E. Hoffman Friday withheld a ruling in a desegregation suit against the Newport News School Board until the Virginia Supreme Court of Appeals rules in a case testing Virginia's anti-integration laws.

Ten Negro children who brought suit asked Hoffman to restrain the school board from barring them from a white elementary school solely for the reason of their race.

The school board asked Hoffman to dismiss the suit on the ground that state law has stripped the board of its power to make pupil assignments.

NO EVIDENCE OFFERED

The plaintiffs rested Friday after sending only three witnesses to the stand. Defense attorneys offered no evidence.

Hoffman then said he would withhold a ruling on the defendants' motion for dismissal pending the State Supreme Court's decision.

Sat. 11-29-58

But if he should deny the motion to dismiss the suit, he said he will enjoin the school board from using race as the sole reason for barring Negroes from white schools.

p. 7A

If the school board should not comply with the law, its members "must take the consequences," the judge added. He said "the situation is a critical one, and I expect the board to comply with the law of the land."

WITNESSES TESTIFIED

Witnesses who testified today were two fathers of several of the Negro pupils, and school Supt. R. O. Nelson. The pupils' fathers said they applied unsuccessfully for admission of their children to Walter Reed Eelementary School, a white school, which is nearer their home than the Negro schools they attend.

Nelson admitted under questioning the applicants were turned down because of their race. An examination of their school records, however, showed only one of the applicants was scholastically eligible for transfer, he said.

Publicly Paid Teachers Ruled Out For Virginia's 'Private' Schools

Atlanta Constitution

Atlanta, Ga.

A federal judge Wednesday slammed another door on the South's hopes to escape racial integration of classrooms when he ruled publicly paid teachers must not work in Virginia's makeshift private schools as long as they are segregated.

Already denied use of public school buildings for private classes in Arkansas, segregationists thus had the second major prop knocked from beneath their private school plans.

Thurs 10-9-58

The teacher barrier was set up in U.S. District Court at Harrisonburg, Va., while Gov. Orval E. Faubus of Arkansas shaped a nationwide drive for funds to operate segregated, private schools in Little Rock.

P. 1

By The Associated Press

At Harrisonburg, Judge John Paul ruled that private schools already operated on a make-do basis at Charlottesville and planned for Warren County must admit Negroes or stop using teachers idled when schools in those areas were closed by the state after being ordered to admit Negroes.

He refused, however, to order the reopening of the public schools in the two cities on an integrated basis, as requested by the National Assn. for the Advancement of Colored People. He declined to rule on the constitutionality of the state law under which the schools were closed, on the ground that a test now is being made in the Supreme Court of Virginia.

Paul said he felt his court does not have the right to order reopening of the public schools "but it does have the right to say if the state is to abandon public education it must abandon it completely." He added that continued conducting of segregated classes in homes and elsewhere with the state providing most of the money "would be a clear violation of the mandate of the U.S. Supreme Court."

Apparently accepting the position of the federal courts that public owned buildings and public money cannot be used for segregated school operations, Faubus disclosed that he and Dr. T. J. Raney, president of the corporation seeking to establish private schools to replace Little Rock's closed ones, are preparing thousands of letters asking for money. They are to be mailed in about three days, on the governor's stationery, to persons who have written or wired Faubus urging him to continue to uphold segregation in the school.

Constitution

Thurs 10-9-58

Officials of Tennessee's Anderson County discussed with presidential aides the financial problem raised by dynamite blasts that did an estimated $300,000 to integrated Clinton High School early this week.

After the session, it was announced that an as yet undetermined amount of federal aid would be extended under existing law permitting assistance to schools attended by children of parents working at federal installations. Some children of employes at the Oak Ridge plant of the Atomic Energy Commission attend Clinton. Classes now are being conducted in an unused elementary school at Oak Ridge.

Judge Outlaws Teachers' Use

Commercial Appeal

Instructors Paid By Public Involved In Ruling

P. 28

VIRGINIA SCHOOL CASE

Memphis, Tenn.

By The Associated Press

HARRISONBURG, Va., Oct. 8. —United States Judge John Paul Wednesday outlawed stop-gap private education programs employing publicly paid teachers idled by state school closures in Charlottesville and Warren County. He said if the teachers are used, the private schools must integrate.

Thurs 10-9-58

The court turned down a request of Negro attorneys that he order the reopening of the high school in Warren and the high school and an elementary school in Charlottesville. A test of the law under which they were closed is before the Supreme Court of Virginia.

But on the question of using teachers paid from public funds in the makeshift private programs of Charlottesville and Warren, Judge Paul said:

Evasion Is Cited

"This is too obviously an evasion of the United States Supreme Court mandate to be allowed to continue."

Judge Paul's decision was announced from the bench after an hour and 50-minute private conference with attorneys for both sides. The lawyers then met with him again and agreed on the gist of a final order.

This order—to become effective a week from Wednesday—is that Charlottesville and Warren may not utilize publicly paid school teachers in the private school programs unless Negroes are admitted to the classes.

Charlottesville Atty. John S. Battle Jr. lost in a move to delay the order until evidence on the private school program could be presented. However, he won a week's stay so Charlottesville residents might explore the chances of continuing the private system with teachers paid entirely from private funds.

Charlottesville has provided private classes in homes, churches and fraternal halls for most of its 1,700 displaced public school pupils. Warren County had expected to launch a private system at Front Royal Thursday, patterned after Charlottesville's, for several hundred of the 1,000 idle pupils of Warren County High School.

Petition Is Expected

Negro attorneys will present a petition similar to that in the two cases here to United States Court in Norfolk Friday. Some 10,000 secondary pupils were idled by the closure of six Norfolk schools.

Mr. Battle said later he had hopes enough money could be provided locally from private sources to pay the Charlottesville teachers and remove them from the court's prohibition.

He said the money probably could be raised by tuition charges and added:

"That is our only chance. The tuition shouldn't amount to very much considering the number of children involved."

The latest action was brought before Judge Paul by the NAACP attorneys to get "further relief" for the 22 Negro children previously ordered admitted to Warren County High—the county's only high school—and the 12 ordered admitted to Lane High and Venable Elementary schools in Charlottesville.

They asked Judge Paul to order reopening of the schools so the terms of his desegregation orders could be met. They also called the use of publicly paid teachers in the private program "evasive tactics" which the Supreme Court ruled out and asked Judge Paul to halt this practice.

The 72-year-old judge said he did not feel it was proper to act on the constitutionality of the state school closure law and related statutes while they were before the State Supreme Court.

He added, though, that the state should not attempt to put the acts into operation until the state court has made its determination.

New School Round Lost By Virginia

State-Paid Faculty Ruled Out Of Private Schools

Birmingham

BY THE ASSOCIATED PRESS

A Federal judge yesterday slammed another door on the South's hopes to escape racial integration of classrooms when he ruled publicly-paid teachers must not work in Virginia's makeshift private schools as long as they are segregated.

Birmingham

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Thurs 10-9-58

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P. 1

And in Charlotte, N. C., integration moved another quiet step forward when Fannie Waterman entered the 10th grade at Central High School and was cordially greeted at the door by two or three white girls.

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Advertiser

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Thurs 10-9-58

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P. 1

OBVIOUS EVASION

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Contributions Sought For Private Schools

Arkansas

LITTLE ROCK, Ark. (AP) — Gov. Orval E. Faubus said Wednesday he would appeal to his supporters across the nation for contributions to help operate private, segregated schools here.

Thurs 10-9-58

Thousands of letters—printed on the governor's stationery—are being prepared for a nationwide mailing, Faubus said.

The appeals will go to people who have written or wired the Arkansas governor urging him to stand fast in his integration fight against the federal government.

Since the federal court has restrained the state from using public funds for support of private schools, the letters state, "it appears necessary that the Little Rock Private School Corp. should proceed with its plan to set up private schools in private facilities, to be operated by private funds. It is urgent that students reenter school at the earliest possible date. We would, therefore, appreciate your assistance in providing contributions to sustain the private schools at this time."

Private School Plan Suspended in Norfolk

Atlanta Constitution

RICHMOND, Va. (AP)—The withering of a program designed to provide private class facilities for 10,000 integration-idled white pupils in Norfolk and the forecast of further court action next week marked Virginia's troubled school front Friday.

Atlanta, Ga.

Amid these developments there was no further word from Gov. J. Lindsay Almond Jr. on what next moves he has in mind to try to reopen nine closed schools—six at Norfolk, two at Charlottesville and Warren County High School at Front Royal, Va.

Sat 10-4-58

NO TEACHERS

The inability of the Tidewater Educational Foundation in Norfolk to sign up a single public school teacher led to the suspension of the operation which, the foundation contended, had registered 2,630 pupils. James G. Martin IV, foundation president, called the attitude of the teachers "inscrutable". As a result of the lack of teachers he said the foundation would cease enrollment and return the tuition fees already paid.

P.15

Only about $450 in $20 fees had actually been paid, he said.

Norfolk Council sought to avail itself of a state law that would have the governor — on request —take over a school and reopen it as a segregated facility under the police powers of the state. Almond apparently had discounted this plan in advance when he rejected the idea that state sovereignty could be used to contravene federal power.

The National Assn. for the Advancement of Colored People served notice it would try to get the six schools open in Norfolk—on an integrated basis. Atty. Victor J. Ashe said he would ask U.S. Judge Walter E. Hoffman Monday to provide additional relief for the 17 Negro pupils Hoffman ordered admitted to the schools.

WEDNESDAY HEARING

The NAACP plan in Norfolk followed Thursday's disclosure that its attorneys will seek the reopening of Warren County High School at a hearing Wednesday before Judge John Paul at Harrisonburg, Va. The 1,000-pupil Warren County school at Front Royal was the first to be shuttered under the massive resistance policy when 22 Negro pupils were ordered admitted. Warren County has no high school for Negroes.

Conceivably the federal courts at Harrisonburg and Norfolk will be asked to determine if Virginia school closure to avoid integration falls under the "evasive schemes" prohibited by the Supreme Court in the Little Rock decision Monday.

In Charlottesville where private, makeshift classroom facilities have been provided for most of the 1,700 displaced pupils, City Atty. John S. Battle Jr. said he will advise City Council and the school board to turn down a request to ask the governor for speedy reopening of the schools.

Private School Idea Lagging In Virginia

News-Observer

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Sat 10-4-58

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P.1

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Observer

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Sat 10-4-58

A mass meeting voted Thursday night to urge the groups to take the request to the governor. But Battle said such a request would prejudice the board's appeal of the desegregation order to a federal appeals court.

A state law provides that the governor may return the school to local control if requested by the governing body and the school board for possible integrated operation. If such an event occurred it would mean loss of state school money by the locality.

But nothing yet has indicated Almond would honor such a request.

12 Negro Pupils Seek Alexandria Enrollment

Post
Washington
Sat 8-30-58

With the attempts yesterday by 12 Negro students to enroll in two white schools, Alexandria joined Arlington, Norfolk and Charlottesville in Virginia's school integration spotlight.

Not until the 12 youngsters appeared at still-incomplete William Ramsey and Theodore Ficklin Elementary Schools had Alexandria reached the point where litigation was certain.

When they were turned away on grounds they could not be enrolled under the State's "massive resistance" legislation, the only jurisdictions in Northern Virginia still without an immediate integration threat were Fairfax County and the City of Falls Church, neither of which has been confronted by a Negro requesting admission to a white school.

Alexandria appeared to take its initiation calmly, probably because the requests were expected.

Letter Sought Entry

A letter two weeks ago from the youngsters' attorney, Otto Tucker, asked school officials to permit the enrollment of 14 students in four white schools—seven at Patrick Henry Elementary, two at Francis Hammond High, three at George Washington High, and two at Ficklin.

School Supt. T. C. Williams told Mr. Tucker and the parents that the youngsters would have to file pupil placement forms, which in turn would be forwarded to the Pupil Placement Board in Richmond, where their requests would be ruled on. Placement forms were mailed to each of the 14.

The first to comply yesterday were James and Margaret Lomax of 1010 North Fairfax street, who told Miss Ruth Ponton, Ficklin principal, they wanted to attend her school because it was the closest one to their home, one block.

Lack Transfer Papers

Although the forms were properly filled out, the brother 7, and sister, 6, were turned away, Miss Ponton said, because they "didn't have transfer papers from Charles Houston Elementary School (eight blocks from their home), where they registered for the fall term last spring."

Mr. Williams, reached later for comment, said the papers are needed only when a transfer is requested in the middle of a term. But the Lomax children did not return to hand in the placement forms.

They were accompanied to the school by their mother, Mrs. Ella Lomax, and their grandmother.

A similar situation developed later in the day when 10 other Negro students turned up at the new Ramsey School, off Seminary road.

This group supposedly was made up of the seven who, two weeks ago, requested admission to Patrick Henry, plus what one Negro attorney described as three "possible volunteers" not named in the August 11 letter written by Mr. Tucker.

Nevertheless, all 10, carrying pupil placement forms, were turned down by Mrs. Marie Acker, Ramsey principal, "because of the Pupil Placement Act."

Referred to Williams

They were told to take the forms to Mr. Williams, but they had not done so when the administrative offices closed last night, Mr. Williams said.

Ramsey, slated to be completed for the opening of school on September 8, is the only elementary school in the general area west of Shirley highway, she said

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Virginia Fights Classroom Integration

Home
P.1
Ledger
Va.
Tues 9-2-58

ALEXANDRIA, Va. —(AP)— Attorneys for 30 Negro children come into court in this northern Virginia city today to press Federal Judge Albert V. Bryan for a ruling that their clients should be admitted to Arlington County white schools on Thursday.

The Arlington desegregation suit finally reached its showdown phase after days of speculation and uncertainty regarding the status of Bryan's 1957 desegregation order applying to five of the children. The order was later stayed by appeals.

The hearing today may resolve into a court test of the amended Virginia Pupil Placement Act under which the State Placement Board rejected the 30 Negro applications for admission to white schools a week ago.

The Arlington school board is expected to tell Bryan it has done all it can in complying with his order and the Negroes will go to Negro schools unless he rules otherwise. The children have been interviewed by the state placement unit and their applications turned down.

The board has also indicated it will assign the children to white schools if Bryan so orders.

At Norfolk, Federal Dist. Judge Walter E. Hoffman will hear arguments tomorrow night from attorneys representing eight Negro children who have been denied transfer to white schools. The board previously reported to Hoffman it plans to assign 17 other Negro children to white schools but asked the jurist to give it until September 1959 to carry out the assignments.

Ruling Sought On 30 Negroes At Arlington

News-Courier
Charleston S.C.
Wed. 8-27-58

ARLINGTON, Va. (AP) — The Arlington school board said Tuesday night it would ask Federal Dist. Judge Albert V. Bryan Sept. 2—two days before school opens—what it should do about 30 Negro children seeking admission to Arlington white schools.

B/14

The board defined the action as its official policy at a meeting during which board member James G. Stockard said he believed the board must admit five Negro children to white schools or face contempt action.

He was accused by board member L. Lee Bean of prejudicing the board's position before the courts and in the eyes of state officials.

The board filed a "request for guidance" earlier in Bryan's Alexandria federal court. The board told Bryan in a motion that unless he directs otherwise the pupils will attend Negro school as assigned by the State Pupil Placement Board.

Bryan is vacationing in Europe but is expected back by Sept. 2.

The court action was supported by all five board members. But Stockard appeared to take issue with part of the request.

In referring to the five Negroes who were ordered admitted to white schools by Bryan last year Stockard said:

"It appears to me that we must either admit the Negro children to the schools to which Judge Bryan intends them to go this year or place ourselves in contempt of the federal courts—and action which I cannot rationalize as an American citizen, believing, as I am sure all Arlington citizens do, in law and order."

The board had announced it would declare its policy at the meeting and some 250 persons turned out to hear it.

GROUP STUDENT REJECTION HIT

Times-Picayune

Dean Wants Negroes Considered Individually

P.1

(Further school integration news on Page 7 and 13.)

By J. W. DAVIS

ALEXANDRIA, Va. (AP) — A Negro college dean told federal court today that Negroes seeking to enter white schools in Arlington County should be considered individually, not as a group.

Thurs
9-4-58
New Orleans
La.

The testimony was given by Thomas H. Henderson of the College of Virginia Union University at Richmond.

Henderson's presentation followed testimony by school authorities that 30 Negroes were refused admission to white schools for such reasons as low scholastic achievement and overcrowding.

Barnard Joy, school board member, testified that six Negro applicants to Stratford Junior High were rejected in a group. As a group, he said they would be in the bottom 15 per cent scholastically if admitted.

MEDIAN SCORE OF 7.2

Frank D. Reeves, a lawyer from the National Assn. for the Advancement of Colored People brought out that one of the six had a scholastic median score of 7.2. Joy acknowledged that about a third of the white students at Stratford scored no higher.

Henderson said all the Negro applicants to Stratford were qualified scholastically.

All Negro applicants to Stratford and other white schools were assigned to Negro schools.

U.S. Dist. Judge Albert V. Bryan, hearing the case, said these are the questions he must decide: Is there evidence to support the assignments as made? Were the assignments capricious, arbitrary or unlawful?

SHOWDOWN STAGE

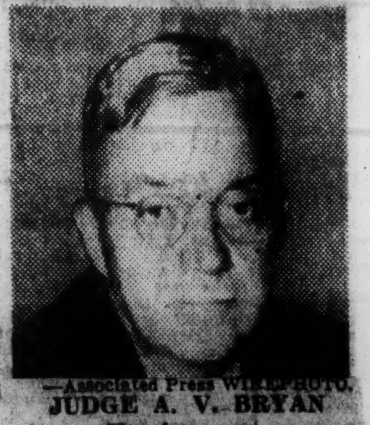
Arlington's is one of several cases which have reached the showdown stage in Virginia's policy of massive resistance to racial mixing in the schools.

Arlington, just across the Potomac River from Washington, has a tiny percentage of Negroes in its population.

Virginia law requires the closing of a school that is integrated by federal court order, or otherwise. No school has yet been closed.

As for five Negroes who were turned away from Washington-Lee High School, Joy said the overriding reason was that the school is overcrowded.

Joy also testified it is the policy of the board not to require that any child attend a school in which a majority of the students are of another race.



—Associated Press WIREPHOTO.
JUDGE A. V. BRYAN
Hearing case.

Mobilizes For Mixing

Jackson News
Jackson Miss.

ARLINGTON, Va. (UPI) — Arlington County today unveiled an emergency fleet of 28 radio-directed cars and trucks, mobilized in case extra vehicles are needed next Thursday when integration-ordered public schools open here.

Wed. 8-27-58

The vehicles, borrowed from the county highway, sanitation, survey and water departments, staged a full dress rehearsal, including a test of their radio connections with police headquarters.

County Manager A.T. Lundberg said the extra vehicles were pressed into service because the county realized its regular police fleet of 40 cars, 25 motorcycles and one paddy wagon might not be enough to handle possible trouble at widely separated schools.

Lundberg said the vehicles, to be driven by unarmed civilians, would be directed through a radio hookup with a special transmitter and dispatcher in police headquarters.

P.12

The police department announced last week it was putting its 171 men through a refresher course in quelling civil disturbances.

Alexandria Withholds Negro Pupil Decision

Alexandria officials, faced with their first applications from Negro students seeking to enter white schools, are looking to neighboring Arlington's similar but more advanced situation for a pattern of developments.

"It's a matter for the courts," said School Board Chairman Robert C. Howard. "Whatever happens in Arlington, Norfolk and Charlottesville probably will set the pattern for the rest of the State—including Alexandria."

Alexandria must operate under the present Virginia laws which bar racially integrated public schools by automatically closing them, he said. State education funds are withheld if such schools are opened on an integrated basis, under Virginia's "massive resistance" measures.

Most Alexandria school board and city council members declined to comment on the applications by 14 Negro students for enrollment in four white schools which they received Monday.

Without Authority

School board member H. G. Moeller said the local officials have no authority in the matter under State laws.

"Certainly, Alexandria parents are anxious to keep their public schools open," Mr. Moeller said. "We will be able to see our direction more clearly after the Arlington situation is settled. Until then we must comply with State laws."

Alexandria School Supt. T. C. Williams said he is mailing today a letter to each of the applicant's parents explaining the present Virginia laws and is enclosing State pupil placement forms.

First Requests Faulty

He said the original requests for transfers to white schools were not made on the proper placement forms required by State law and as a result are not presently subject to administrative action.

Otto L. Tucker, attorney for the applicants, said he probably will advise his clients "to comply by filling out these forms." First, however, he will study Mr. Williams' reply, he said.

Both Mr. Williams and Mr. Howard said the applications will be handled like any other transfer requests. Under present laws, however, they said final action rests with the State Pupil Placement Board and the Governor.

Three Negro Schools

Alexandria, with the largest Negro population in Northern Virginia, has 15 white schools and three for Negroes—the new Lyles-Crouch Elementary School, the recently enlarged Charles Hueston Elementary School, and the Parker-Gray High School, built in 1950.

The city ended its 1957-58 session with an enrollment of 14,077—of which 12,000 were white students and 2,077 were Negroes. There are 466 white teachers, 82 Negro teachers, not counting 72 teachers of special subjects.

Next year's approved budget of $4,679,000 includes $911,600 from the State, $3,232,400 from the city, $510,000 from Federal funds and $25,000 from tuitions and other sources.

Star
p B3
Washington D.C.
Tu 7-15-58

Negro Pupils Receive Forms in Alexandria

Virginia State pupil placement forms have been mailed by Alexandria school officials to the parents of 14 Negro children seeking admittance to the city's white classrooms.

School Supt. T. C. Williams said today that the placement forms were sent to the Negro families in line with the Virginia law which gives student assignment power to a three-member State board.

The enrollment requests for the fall term beginning September 8 were made this week in letters to school authorities. Four white schools are involved.

In his Arlington integration order last September, Alexandria Federal Court Judge Albert V. Bryan said that Negro children did not have to use the placement forms. The placement act was amended by the General Assembly this year and the revised statue has not yet been tested in the courts.

Letters advising the 14 Negro families of the requirements of State law were sent with the placement forms, Mr. Williams said.

Star
p A14
Washington D.C.
Sat 8-16-58

Norfolk Court Subpoenaes 21

NORFOLK, Va., Aug. 16 (AP). — Twenty-one persons were subpoenaed yesterday to appear at Monday's hearing in U. S. District Court on the Norfolk school board's assignment plan. Negro pupils have asked the court to declare the plan invalid.

Those subpoenaed include five parents of Negro pupils who have made applications to white schools and complied with the board's assignment procedures, three Negro school administrators, 11 members of the interview committees, and the two school psychologists.

They were directed by the United States District Court clerk, at the request of J. Hugo Madison, Negro attorney, to be at the court Monday at 10 a.m.

Norfolk's School Board continued study of the findings of the test and interview committees at an informal meeting Thursday, but J. J. Brewbaker, superintendent of schools, indicated yesterday that "quite a lot of work" remained to be done.

Mr. Brewbaker said the school board will make known to Judge Walter E. Hoffman

Monday the results of the tests.

The board's designated committees have completed interviews of 87 of the 151 Negro pupils who applied for admission to white schools.

Monday's legal challenge is brought in behalf of 21 Negro pupils who did not take the tests.

Negro Pupils' Move Undecided In Alexandria

An attorney for Negro students seeking admission to white schools in Alexandria said today no decision has been made on the next move in that jurisdiction.

Attorney Otto Tucker said Supt. T. C. Williams has mailed State pupil placement applications to the students, but that none have been filled out.

He said attorneys for the Negroes conferred Sunday on the Alexandria case and that another conference probably will be scheduled "in light of the pupil placement board ruling yesterday." The State board denied all applications of Arlington Negroes seeking transfer to white schools.

The Alexandria School Board, like Arlington, has taken the position that all pupil assignments are the responsibility of the State placement board.

Star
p A31
Washington D.C.
Wed 8-27-58

HITS GROUP REJECTION

Negro Dean Heard In Virginia Case

ALEXANDRIA, Va., Sept. 3 (AP)—A Negro college dean told a federal court today that Negroes seeking to enter white schools in Arlington County should be considerd individually, not as a group.

The testimony was given by Thomas H. Henderson of the College of Virginia Union University at Richmond, in federal court proceedings.

Henderson's presentation followed testimony by school authorities that 30 Negroes were refused admission to white schools for such reasons as low scholastic achievement and overcrowding.

Barnard Joy, school board member, testified that six Negro applicants to Stratford Junior High were rejected as a group. As a group, he said they would be in the bottom 15 per cent scholastically, he admitted.

Grade Comparisons

Frank D. Reeves, a lawyer from the National Assn. for the Advancement of Colored People, brought out that one of the six had a scholastic median score of 7.2. Joy acknowledged that about one-third of the white students at Stratford scored no higher.

Henderson said one of the six had a test grade of 8.0 in the seventh grade of the Negro school he has been attending. The educator said this means the pupil was about a year ahead of the average seventh grader. He said another scored 8.3.

He said all the Negro applicants to Stratford were qualified scholastically.

All Negro applicants to Stratford and other white schools were assigned to Negro schools.

Judge Albert V. Bryan, hearing the case, said these are the questions he must decide:

Is there evidence to support the assignments as made? Were the assignments capricious, arbitrary or unlawful?

Several Cases

Arlington's is one of several cases which have reached the showdown stage in Virginia's policy of massive resistance to racial mixing in the schools.

Virginia law requires the closing of a school that is integrated by federal court order, or otherwise. No school has yet been closed under the law.

The school authorities closed their case before Judge Bryan this afternoon.

There were reports that the opening of the county schools may be further postponed. The school board yesterday delayed the opening from tomorrow until Monday

Times Union
p 1
Jacksonville Fla
Thurs
9-4-58

GRANT SCHOOLS WILL STAY OPEN

To Be Able to Operate Full Nine Months

(Special to The Times-Picayune)

ALEXANDRIA, La., — While most parishes are preparing for curtailed school sessions due to lack of funds, the Grant parish school board says it will be able to operate for a full nine months.

Superintendent C. C. Belgard told the Grant board at a meeting Friday in Colfax: "I think we can operate a full nine months by scraping the bottom of the barrel and getting everybody to live economically."

Discussing a tentative budget which goes before a budget committee next week and is scheduled to be submitted to the board at its November meeting, Belgard told board members that there would be a shortage.

The total operating costs reported in the proposed budget are $21,301 above anticipated revenues from all sources.

At the expense ratio allowed by the budget this will permit operation of the school system for approximately eight months and three weeks, Belgard said.

He then told the board he thought by economizing it will be possible to operate for the full nine months session.

In explaining the fund shortage, Belgard said allocations from the state fell $91,493 short of the minimum parish program estimates compiled by the state department of education.

Times Picayune
New Orleans
La.
Sat
10-4-58
B1

Warren County Board Denies Integration Plea

FRONT ROYAL, Va., Aug. 15 (AP). — The Warren County school board says it is unable to comply with the request from a Negro attorney that Negro children be transferred to white public schools.

The board said it would take no action on the transfer requests but would pass them on to the State Pupil Placement Board in Richmond with the recommendation that they be turned down.

Six reasons were listed by the board for rejecting the transfer petitions, the chief ones being that all school assignment powers are lodged with the State Pupil Placement Board and that the Warren County schools now are so overcrowded that to add more pupils would seriously tax their capacity and lower their efficiency.

NAACP Backed Pupils

Oliver W. Hill of Richmond, an attorney for the National Association for the Advancement of Colored People, had asked that the children be transferred to the white schools. In the letter received July 9 by Q. D. Gasque, school superintendent, Mr. Hill asked for a reply by July 21.

Mr. Gasque in a letter to Mr. Hill the nsaid the board would not take up the matter until its August meeting, and he repeated the statement in reply to another letter from Mr. Hill asking for earlier consideration.

Mr. Gasque signe da letter from the school board to Mr. Hill setting forth the reasons the board would recommend that the transfer petitions be turned down.

In his original letter Mr. Hill asked for the transfer of 25 Negro pupils to the white Warren County High School and five to the white Front Royal Elementary School.

Warren County does not op-Negro childre nwho wish to attend high school must go either to one in Berryville, Clarke County (21 miles away), or erate a Negro high school. Manassas, Prince William County (about 50 miles dis-

Negro School Planned

In reviewing the entire situation, Board Chairman E. T. Shiner said it is irregular "for parents to employ counsel without first coming to the board to get their reaction."

He added that all pupils are frozen by the States Pupil Placement Board in the schools they are now attending "and if they were to be transferred, it would be by the pupil placement board."

The bord also pointed out it will soon construct a Negro elementary and high school here, and today it awarded a $431,787 contract to Byran Associates of Alexandria for the school.

The board said the school should be ready for occupancy in September, 1959.

Star
P.B 3
Washington
8-15-58

Warren Parents Await Report On School Issue

FRONT ROYAL, Va., Sept. 25 —A 16-member committee is scheduled to bring in recommendations tonight for educating more than 1,000 Warren County high school students whose school was closed nearly two weeks ago to avoid integration.

The committee report will be given to the Warren County High School Parent Teacher Association at a meeting that is expected to draw the largest crowd ever to attend such an assemblage here.

Four members of the committee met yesterday with Gov. Almond in Richmond, but declined to say what they talked about. Attending the session with the Governor were PTA president Herman Carson, Front Royal Mayor Carence F. Gregory, Chester R. Dodd and Duncan C. Gibb, chairman of the committee.

The committee has explored the possibility of sending a large number of students to high schools in neighboring jurisdictions and setting up classes in private buildings or homes until reopening of the school.

A move also may be made to revive a resolution that would ask the Governor to return the high school to local operation. The resolution was tabed last week by the PTA.

Evening Star
P.A 27
9-25-58
Washington D.C.

Judge Approves Segregation for Virginia Schools

30 Negroes' Right to Shift Is Reserved

Fla. Times-Union Jacksonville Fla.

Final Arlington Ruling Awaits Decision of Supreme Court

Fri 9-5-58

ALEXANDRIA, Va., Sept. 4 (AP)—Federal District Judge Albert V. Bryan today authorized Arlington County to open its schools next Monday on a segregated basis.

Bryan stressed, however, that this was without prejudice to 30 Negro pupils' right to be shifted to white schools later should he find they are entitled to such transfers. The 30 have asked to be admitted to white schools.

The judge said he will not make his final ruling in the Arlington case until after the U. S. Supreme Court has ruled in the Little Rock case now pending before it.

P. 1

The Supreme Court will hear arguments in the Little Rock case a week from today.

"Meticulous Study"

(Meanwhile, in Norfolk, U.S. District Judge Walter E. Hoffman upheld the Norfolk School Board's rejection of eight Negroes' applications for transfer to a white school on the grounds that it would involve too many transfers. The eight were among 134 Negroes whose applications for admission to white schools were denied by the Norfolk board at the time it said it would assign 17 Negroes to white schools.)

Bryan, at the conclusion of three days of testimony and legal arguments, said he will have to give "meticulous and tedious study of the evidence in each of these cases."

In the end, he said, the present assignments of the Negroes by the school board to Negro schools may stand in full, all may be reassigned to the white schools they are seeking to enter, or some of the transfers may be granted and others denied.

Earlier, Judge Bryan mentioned from the bench that the Supreme Court in its next Little Rock decision may further clarify its ruling that "all deliberate speed" shall be used in carrying out public school desegregation.

The Supreme Court used that phrase in its 1955 decision on how the decision of a year earlier, outlawing segregation, should be carried out.

The basic question before the Supreme Court is whether it should agree to the 2 1-2-year suspension of integration at Little Rock approved by District Judge Harry J. Lemley.

Lemley Stand

Bryan commented today that Lemley "related his action to the phrase, well-known now, 'all deliberate speed.'" And, he remarked, Lemley contended he acted within the tolerance granted by the Supreme Court.

The 8th Circuit Court of Appeals, sitting at St. Louis, reversed Lemley in a vote of 6 to 1, but granted a stay of its order pending action by the Supreme Court.

Bryan said he got the implication that the court of appeals may have felt there was some substantial question, other than disorder and hostility as the basis of suspending desegregation, from the fact that the court granted the stay of its order.

The judge said he feels the Supreme Court itself may consider the question of timing of desegregation and asked Frank D. Reeves, an attorney for the National Assn. for the Advancement of Colored People: "Isn't that a fair implication?"

Reeves replied that he does not feel that way. He added that in the Little Rock case the school board itself had come forward with a voluntary plan of desegregation and the question in that case is whether a 2½-year suspension is permissible.

In Arlington, Reeves said, the school board [illegible] come forward with no plan at all. He said standards set up in Arlington for handling applications of Negroes for transfers to white schools were applied with such discrimination as to be unconstitutional.

Times Union
Fri 9-5-58

The school board, soon after Bryan's decision, announced that Arlington schools will open Monday, as he authorized. This means there will be no mixing of the races in schools for the time being at least.

Bryan emphasized that his ruling was made without prejudice to the right of the Negroes to insist upon being shifted to the white schools later should he find them entitled to reassignment.

Bryan also withheld an immediate ruling on two pending motions.

One by Virginia Atty. Gen. Albertis S. Harrison asked for a one-year postponement of any further proceedings in the Arlington case.

The other, by attorneys for the National Assn. for the Advancement of Colored People, asked that certain evidence be stricken from the record. This consisted of psychological evaluations of the Negro applicants by Dr. Cyril Mill, a state psychologist. The Negro attorneys said this evidence should not be considered because Dr. Mill was not on hand for cross-examination.

Bryan said questions for him to decide include the validity of the denial of the applications of the Negroes for transfer to white schools.

He said the validity of the assignments will be tested just as any administrative action is reviewed—as if no constitutional question were present.

But, he said, the next question he must decide is whether the actions of the State Pupil Placement Board and the county school board were "violative of the federal Constitution."

"That is the fundamental and overriding test," he remarked.

During this week's proceedings Negro attorneys insisted that race was a factor in the assignment of the Negroes to Negro schools. They denounced criteria used by the school board as designed only to prevent Negroes from attending white schools.

Harrison and attorneys for the school board argued that the regulations are valid and necessary for efficient operation of the Arlington school system.

Arlington Board Explains Denials

Commercial Appeal

Race Not Factor in Rejecting 30 Negroes, Court Told

Memphis Tenn.

INTEGRATION SNAG SEEN

Wed. 9-3-58

By United Press International

ALEXANDRIA, Va., Sept. 2. — The Arlington County School Board told a Federal District Judge Tuesday it had rejected on grounds other than race the applications of 30 Negro pupils to attend seven white schools.

The testimony came as Judge Albert V. Bryan reviewed the qualifications of each Negro child in a case which posed a test of Virginia's "massive resistance" to integration.

P. 11

Denied Earlier

Virginia's State Pupil Placement Board had previously turned down the applications. The county board had taken the position that under state law, the state agency had jurisdiction.

But the county board apparently acted in belief Judge Bryan might order it to consider the applications.

Bernard Joy, a board member, testified that "for one reason or another in each of the cases the vote was to reject the transfer" of a Negro pupil to a white school.

Judge Bryan rejected pleas by attorneys for the National Association for the Advancement of Colored People for an immediate ruling on the Negroes' request to attend white schools in Arlington County, just across the Potomac River from Washington.

Instead, the judge decided to go over the qualifications of each Negro. However, a ruling was expected before the opening of Arlington schools Thursday.

Mr. Joy testified that 11 applications were denied on grounds the Negroes lived outside attendance areas for white schools. He presented maps to back up this point.

Overcrowding Cited

He said Washington-Lee High School, which five Negroes sought to attend, was seriously overcrowded and 250 tenth graders would be shifted to another school this fall. For that reason, he said, the board felt it should not permit transfers to Washington-Lee.

Mr. Joy said nine Negroes were rejected because the board believed they "would have serious academic difficulties" in white schools.

He said the scholastic level of the seventh grade at one Negro school from which students sought to transfer was a year and nine months behind the seventh grade in the white school involved.

Mr. Joy said other applications were rejected because of individual "psychological problems" or problems relating to "adaptability to new situations."

Mr. Joy's testimony came after Judge Bryan asked lawyers for the school board and NAACP whether they felt the appeal of the Little Rock, Ark., school case now before the Supreme Court "has any bearing on this case."

The high court has scheduled full hearings Sept. 11 on NAACP requests that a delay in integration at Little Rock's Central High School be swept aside.

Judge Bryan's question was interpreted as a possible hint of delay in Arlington integration.

Virginia Decision At Hand

Fla. Times Union Jacksonville Fla.

U.S. Judge Will Hear Arguments Today in School Case

Tue. 9-2-58

ARLINGTON, Va., Sept 1 (UPI)—Virginia's school integration crisis faces its first showdown tomorrow in this sprawling, residential community across the Potomac from the White House.

P. 1

Federal Judge Albert V. Bryan will hear arguments on the plea of 30 Negro children for an order admitting them to several previously all-white schools. A quick ruling is expected since Arlington schools are scheduled to pen Thursday.

Bryan last year ordered seven Negro students admitted to the schools but he stayed his integration order to allow an appeal to the Supreme Court. The high court upheld his decision last May.

First Clear Test

The new and expanded plea by the Negro children is expected to provide the first clearcut test of Virginia's anti-integration "massive resistance" laws. They require the closing of any public school that mixes white and Negro students.

Norfolk and Charlottesville also have been ordered to integrate their schools. But the opening of the fall terms in these Virginia cities has been postponed until Sept. 8 and Sept. 15.

If Bryan should grant the plea of the Arlington Negro students the first test of the anti-integration laws would come in a county that has been out of step with the rest of the state on the issue of the anti-segregation laws.

Arlington is not a typical Virginia community. Its sprawling population of 172,000 persons includes a heavy percentage of natives of other states, many of them federal employes who come from Northern states where integration has been in effect for years.

National Cemetery Site

Arlington is also the site of the National Cemetery with its famous tomb of the Unknown Soldier and the Pentagon. Many officess and men stationed at the military headquarters made their homes in the suburban community.

The opposition of a preponderance of the community to the state anti-integration laws stems not so much from any outright anti-segregation feeling but more from a desire to keep the schools open.

Whatever Bryan's ruling, few incidents of violence are expected in this community of white collar workers. Nevertheless, Arlington police have made preparations to meet any emergency. All leaves have been cancelled and every man on the force has been given riot training.

U.S. Judge Orders Segregated Schools

News – Courier
Charleston, S.C.

Virginia's Arlington County Is Granted Respite Until Sept. 11

Fri 9-5-58

ALEXANDRIA, Va. (AP)—U. S. Dist. Judge Albert V. Bryan Thursday authorized Arlington County to open its school next Monday on a segregated basis. Bryan stressed, however, that this was without prejudice to 30 Negro pupils' right to be shifted to white schools later should he find they are entitled to such transfers. The 30 have asked to be admitted to white schools.

The judge said he would not make his final ruling in the Arlington case until after the Supreme Court has ruled in the Little Rock case now pending before it.

The Supreme Court will hear arguments in the Little Rock case Sept. 11.

The basic question before the Supreme Court is whether it should agree to the 2½-year suspension of integration at Little Rock approved by U. S. Dist. Judge Harry J. Lemley.

Bryan commented Thursday that Lemley "related his action to the phrase, well-known now, 'all deliberate speed.'" And, he remarked, Lemley contended he acted within the tolerance granted by the Supreme Court.

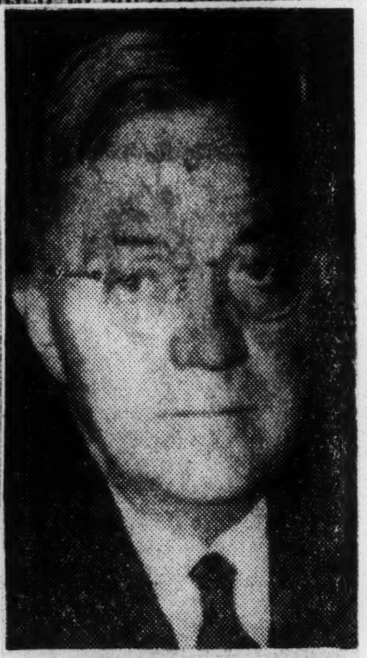
The 8th Circuit Court of Appeals sitting at St. Louis, reversed Lemley on a vote of 6-1, but granted a stay of its order pending action by the Supreme Court.

Bryan said he got his idea that the appeals court may have felt there was some substantial question, other than disorder and hostility as the basis of suspending desegregation, from the fact that the court granted the stay of its order.

The judge said he felt the Supreme Court itself may consider the question of timing of integration and asked Frank D. Reeves an attorney for the National Assn. for the Advancement of Colored People: "Isn't that a fair implication?"

Reeves replied that he did not feel that way. He added that in the Little Rock case the school board itself had come forward with a voluntary plan of integration and the question in that case is whether a 2½-year suspension is permissible.

In Arlington, Reeves said, the school board has come forward with no plan at all. He said standards set up in Arlington for handling applications of Negroes for transfers to white schools were applied with such discrimination as to be unconstitutional.



JUDGE ALBERT BRYAN
Delays Final Ruling

The school board, soon after Judge Bryan's decision, announced that Arlington schools will open Monday, as he had authorized. This means there will be no mixing of the races in schools for the time being at least.

Bryan also withheld an immediate ruling on two pending motions.

One by Virginia Atty. Gen. Albertis S. Harrison asked for a one-year postponement of any further proceedings in the Arlington case.

The other, by attorneys for the NAACP asked that certain evidence be stricken from the record. This consisted of psychological evaluations of the Negro applicants by Dr. Cyril Mill, a state psychologist. The Negro attorneys said this evidence should not be considered because Dr. Mill was not on hand for cross-examination.

Bryan, at the conclusion of three days of testimony and legal arguments, said he would have to give "meticulous and tedious study of the evidence in each of these cases."

In the end, he said, the present assignments of the Negroes by the school board to Negro schools may stand in full, all may be reassigned to the white schools they are seeking to enter, or some of the transfers may be granted and others denied.

Earlier, Judge Bryan mentioned from the bench that the Supreme Court in its next Little Rock decision may further clarify its ruling that "all deliberate speed" shall be used in carrying out public school desegregation.

The Supreme Court used that phrase in its 1955 decision on how the decision of a year earlier, outlawing segregation, should be carried out.

Gov. J. Lindsay Almond Jr, who has spearheaded Virginia's opposition to race mixing in the schools both as attorney general and now as governor, said he was "pleased to learn of the action of Judge Bryan." He had no further comment.

Negroes turned down in group at Arlington

ALEXANDRIA, Va., Sept. 3—(AP)—A school board member testified today that the applications of six Negroes to attend a white school in Arlington County were turned down in a group without individual consideration.

News
P. 1

The only reason given for the rejection, Dr. Barnard Joy told U. S. Dist. Judge Albert V. Bryan, was low achievement.

Dr. Joy testified in a hearing to determine whether 30 Negroes must be admitted to various white schools in the county, just across the Potomac River from Washington.

IN TURNING DOWN the applications the board followed rulings by the State Pupil Placement Board.

Frank D. Reeves, an attorney for the National Assn. for the Advancement of Colored People, brought up the case of one of the six who sought to enter Stratford Junior High School.

9-3-58

Joy took the view that, from an educational standpoint, it would have been unwise to assign the applying Negroes to Stratford unless they were outstanding in achievement.

REEVES ALSO took up the case of five Negroes who were denied admission to Washington-Lee High School.

Joy said various factors, principally overcrowding in that school, resulted in the denial of these applications.

Joy said that if race had not been in consideration at all, the Negroes would have been eligible to attend the white high school. But he insisted overcrowding and other factors caused the denial.

The Arlington superintendent of schools, Ray A. Reid, acknowledged yesterday from the witness stand that the standards applied to Negroes seeking transfers to white schools were not applied to white pupils seeking transfers from one white school to another.

WHILE THE COURT hearing was in progress the Arlington County board advised teachers that the opening of schools—already postponed from tomorrow to Monday—may be delayed further.

Meanwhile all-night activities at county secondary schools were prohibited until further notice, with the stated aim of avoiding disturbances in connection with the integration dispute.

The policy, adopted at a closed meeting of the board last week, prevented classes last night for 300 students taking University of Virginia extension courses at Washington-Lee.

Norfolk told schools must integrate now

NORFOLK, Va., Sept. 3—(AP)—U. S. District Judge Walter E. Hoffman today denied the Norfolk School Board's motion to delay desegregation of schools until 1959.

In his order, Hoffman said he reserves the right to reconsider after the U. S. Supreme Court rules on the integration delay at Little Rock, Ark., scheduled for Sept. 11. The opening of school here has been postponed to Sept. 22, apparently to see what the high court does.

Hoffman has said that if the Supreme Court grants a 2½ year delay at Little Rock or grants a review of the case, he would entertain a motion to re-transfer 17 Negro children.

ALEXANDRIA LOSES ROUND IN RACE SUIT

ALEXANDRIA, Va., Oct. 6 (UPI)—Federal Judge Albert V. Bryan refused today to dismiss a suit seeking the admission of fourteen Negro children to Alexandria's all-white public schools.

The Alexandria School Board sought to have the suit, brought by the National Association for the Advancement of Colored People, thrown out of court. The board argued that it had no power to admit the Negro students.

Tues 10-7-58

Attorneys for the board told the judge that the suit should have been brought against the State Pupil Placement Board. They said that under Virginia's "massive resistance" program, the placement board had sole authority to assign students.

But Judge Bryan ruled that the board's arguments did not justify dismissal of the suit. Instead, he set Oct. 30 for trial on the N. A. A. C. P.'s request for an injunction against the school board. However, he told the board's attorneys that they could renew their arguments then.

Northern Virginia PTA Asks Option on Schools

Regional Parley Brushes Off Resolution To Avert State Split on Integration

By MARY LOU WERNER

Star Staff Writer

Evening Star

Washington, D.C.

Fri 9-26-58

A resolution to soft-pedal the race question was brushed aside by Northern Virginia Parent-Teacher Association delegates last night in favor of a firm stand supporting local option on school desegregation.

The resolution, as originally drawn, would have left it up to local units to support the State's "massive resistance" laws or local option legislation.

It was amended, however, to put the Northern Virginia District of the Virginia Congress of Parents and Teachers on record for local option which is not permitted under existing State laws.

The amended resolution was approved by a strong voice vote at a special meeting of the Northern Virginia District last night at Francis Hammond High School in Alexandria attended by approximately 300 PTA members from Arlington, Alexandria, Fairfax, Falls Church, Fauquier, Loudoun and Prince William.

To Go to State Convention

It will be sent to the Virginia State PTA convention at Richmond next month for consideration.

William Lightsey of Arlington, director of the Northern Virginia District who presided at the meeting, said the original resolution was presented "in the belief it might serve a more useful purpose" than resolutions supporting either local option or massive resistance.

The idea, he explained, was to offer some course of action that PTA's all over the State might support, and in that way attempt to avert a bitter split within the State organization over the question of school desegregation.

Sees Closing Only Issue

Stanley King, delegate from Hammond High, seemed to sum up the sentiment of the majority when he said:

"This, the original resolution, says every man for himself and the devil take the schools. The only issue before us is whether schools are to be closed or remain open. We have no right to deny any child an hour's schooling, or one day's schooling."

Mr. King, who is United States Commissioner in Alexandria and an active civic leader in the city, was applauded when the called the original resolution "mealy-mouthed."

News,

Fri 9-26-58

He said he believed Gov. Almond "is waiting to see what the people of Virginia are going to say—we haven't voted since they started closing schools. Let's make our voices heard."

Another amendment was offered to encourage PTA co-operation with private school systems that might be set up where public schools are closed.

D. C. "Destruction" Cited

Speaking in favor of the private school amendment was Edward S. Holland of the George Washington High PTA in Alexandria.

"We have had a lot of propaganda that we cannot close our schools to divest ourselves of an even worse situation," said Mr. Holland. "I have seen the destruction of a public school system in which I was educated on the other side of the river."

Opposing the private school amendment was Ralph Altman of the Walter Reed PTA in Arlington. Mr. Altman sponsored the local option amendment that the meeting finally adopted.

"If we're not ready to work when the chips are down for the basic reason we are in existence, I think we may as well go out of business," Mr. Altman said.

The private school amendment was rejected and the meeting then went on to adopt Mr. Altman's proposal indorsing local option.

Mrs. W. W. Kavanaugh, president of the Virginia PTA Congress, told the meeting "the first concern of the PTA is with public education and then with private classes if public schools are closed."

14d(1) 1958

Norfolk Sued To Head Off Integration

Atlanta Constitution
Atlanta, Ga.

NORFOLK, Va. (AP)—The Norfolk School Board, already pinned in a head-on collision of federal and state laws on school segregation, was named defendant Thursday in a suit aimed at blocking enrollment of Negro pupils in white schools.

Fri. 8-8-58

The suit was filed in Norfolk Circuit Court by an attorney for Mr. and Mrs. Coleman H. Coley, white residents of Norfolk. They asked the court to enjoin the school board from making any pupil assignments on the ground that state law placed all authority for such assignments in the state pupil placement board.

Circuit Court Judge Clyde H. Jacob will hear arguments on the Coleys' petition Wednesday.

Some 150 Negro pupils have applied for admission to white schools next month. More than 80 of these pupils have taken tests required by the school board for enrollment. The remainder of the Negro applicants did not take the tests.

P. 8

The school board has said it will not stand in contempt of federal district court, which has ordered desegregation of schools in September. Virginia law provides for the closing of any integrated school.

The Coleys, who declined comment on the suit, have two children who have been enrolled by the state pupil placement board, one in Norview Junior High School and the other in Norview Elementary School.

The Coleys' suit was brought against the school board and superintendent of schools J. J. Brewbaker.

Virginia Judge Won't Halt Suit

NAACP Seeking Admission Of Negro Students

BOARD ASKED DISMISSAL

Commercial Appeal
Memphis, Tenn.

By United Press International

ALEXANDRIA, Va., Oct. 6.—Federal Judge Albert V. Bryan refused Monday to dismiss a suit seeking the admission of 14 Negro children to Alexandria's all-white public schools.

The Alexandria School Board sought to have the suit brought by the National Association for the Advancement of Colored People thrown out of court. The board argued that it had no power to admit the Negro students.

Tues. 10-7-58

Attorneys for the board told the judge the suit actually should have been brought against the State Pupil Placement Board. They said that under Virginia's "massive resistance" program, the placement board had sole authority to assign students.

Sets Oct. 30 Trial

But Judge Bryan ruled that the board's arguments did not justify dismissal of the suit. Instead, he set Oct. 30 for trial on the NAACP's request for an injunction against the school board. However, he told the board's attorneys they could renew their arguments then.

P. 15

Alexandria is one of a number of Virginia cities in which Negroes are seeking admission to white schools. Earlier this year, Judge Bryan ordered four Negroes admitted to an Arlington high school in January. He refused to admit 26 others.

The judge acted Monday after hearing from two school board attorneys, Earl F. Wagner and Lewis S. Pendleton Jr. He did not wait to hear from the NAACP attorneys.

Mr. Pendleton urged the judge to meet what he viewed as the real issue by having a three-judge panel rule directly on the constitutionality of the state's controversial pupil placement act.

Mr. Pendleton said "a great deal of perhaps just criticism" has been directed at the act. But he said it never had been attacked directly in any of the school suits brought this year.

He said Federal Courts should decide once and for all if the act is constitutional.

Nine Schools Closed

Nine schools have been closed in Virginia idling some 13,000 pupils. The NAACP planned another legal maneuver designed to obtain relief from what it contended was a violation of the constitutional rights of Negroes.

Motions to this effect already have been filed seeking the reopening of two schools at Charlottesville and Front Royal High in Warren County. An NAACP attorney said he would make the same request in Norfolk's Federal Court. Six Norfolk schools are among the nine shut down.

Kentucky School Opens

In Wheelwright, Ky., Wheelwright High School, closed since last Wednesday because of student demonstrations, reopened Monday but its five Negro students and more than one-third of the white pupils stayed home.

Nearly a dozen state and local police circulated through a crowd of 50 persons who collected before classes started.

Demonstrations were touched off last week following a fight between a Negro girl and a white girl.

Principal Boone Hall, who closed the school Wednesday, said he had no intention of suspending classes again "unless things get a lot rougher."

He said many parents gathered at the school because "they are interested in the safety of their children. The others are those who do not want to see classes resume."

Hall estimated that at least one third of the 650 pupils were absent Monday, many "because they don't want to get involved."

VIRGINIA

LEGAL SPARRING IN VA. BATTLE

News Observer

RICHMOND, Va. (AP)—Legal sparring continued on a broad front Monday in the federal-state battle over mixing of the races in Virginia's public schools.

These were the major developments as nine white schools with 13,700 pupils remained closed in Norfolk, Charlottesville and Warren County under state law because of the assignment of Negroes to them:

Raleigh, N.C.

1. The probability arose that Gov. Almond and the Norfolk City Council may be named as defendants Friday at a federal court hearing on a petition filed with Judge Walter E. Hoffman by the National Assn. for the Advancement of Colored People. It asks the judge to restrain the school board and "all persons in active concert or participation" from interfering with Hoffman's desegregation orders.

2. Gov. Almond held a conference with Warren County officials in advance of a hearing before federal Judge John Paul in Harrisonburg Wednesday on an NCCAP petition similar to that filed at Norfolk.

Tues. 10-7-58

Judge Refused

3. Federal Judge Albert V. Bryan refused to dismiss a suit which seeks admission of 14 Negro Students to wo white high and three elementary schools in Alexandria with an enrollment of 4,711 pupils. He set Oct. 30 as the date for arguments on the Negro pupils' request for an injunction to prevent the School Board from denying them admission.

P. 1

4. Virginia's attorney general asked the Virginia Supreme Court of Appeals to designate counsel to represent the state comptroller in a friendly action to test the validity of Virginia anti-integration laws. The action is considered a move to forstall a decision on their constitutionality by federal courts, which normally do not act while cases are before state courts.

SUIT

Judge Refuses To Dismiss NAACP Suit

Birmingham Herald

ALEXANDRIA, Va., Oct. 6 (UPI)—Federal Judge Albert V. Bryan refused today to dismiss a suit seeking the admission of 14 Negro children to Alexandria's all-white public schools.

The Alexandria school board sought to have the suit brought by the National Association for the Advancement of Colored People thrown out of court. The board argued that it had no power to admit the Negro students.

Birmingham [illegible]

Attorneys for the board told the judge the suit actually should have been brought against the State Pupil Placement Board.

They said that under Virginia's "massive resistance" program, the placement board had sole authority to assign students.

Tues. 10-7-58

But Judge Bryan said the board's arguments did not justify dismissal of the suit. Instead, he set Oct. 30 for trial on the NAACP's request for an injunction against the school board. However, he told the board's attorneys they could renew their arguments then.

P. 1

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"Massive Resistance" Under Fire

14d(1) Va.

Norfolkians Want Laws Struck Down, Schools Reopened

Journal-Guide

By A Staff Writer

NORFOLK — Norfolk white children and their parents Monday named Virginia's Gov. J. Lindsay Almond Jr., and State Attorney General Albertis S. Harrison Jr. among defendants in a suit brought in Federal Court to reopen six schools closed by state resistance to desegregation orders.

Norfolk, Va.

The suit strikes out at the "massive resistance" laws under which the schools were closed and asks that a three-judge federal tribunal issue an injunction against the enforcement of those laws.

Sat. 11-1-58

THE SUIT says that the closing of the six Norfolk schools is in violation of the 14th Amendment because the closures deprive the children excluded from the schools of equal protection of the law.

P. 1

Attorneys for the white parents ask that the three-judge court be convened "as quickly as possible." They are Attorneys Archie Boswell of Norfolk and Edmund D. Campbell of Arlington.

• • •

THE MOVE came as a surprise in local legal circles because it was expected that NAACP counsel would file a similar action naming the governor and attorney general as defendants. They were advised to consider such a move by District Judge Walter

F. Hoffman during a recent hearing on school closure matters.

The persons bringing the action filed Monday are parents of 26 children who have been locked out of five of the six schools closed at Norfolk permit school seizures by the governor. The contention in the suit is that enforcement of these laws deprives children forced out of schools "of liberty and property without due process of law and the equal protection of the laws in violation of the 14th Amendment."

Va.

Sat. 11-1-58

THE SUIT further alleges that the school closures reduce property values in that the local school board and the children are being deprived of ownership, possession and use of schools."

under orders issued by Gov. Almond.

• • •

SPECIFICALLY, the plaintiffs contend that on Sept. 27, the Norfolk school board, acting under order from the Federal District Court, assigned 17 colored students to six schools which thentofore had served all-white student bodies; that the governor then assumed authority over the schools.

The suit seeks to strike down "massive resistance"

Named In School Suit

J. LINDSAY ALMOND, JR
Governor

A. S. HARRISON, JR.
Attorney-General

Suit Attacks Virginia Laws As Vote Fails

White Parents Go Into Court In Effort To Reopen Schools

By AL KUETTNER
United Press International

Jackson News

A group of white parents went into federal court at Norfolk today in an effort to strike down Virginia's "massive resistance" laws and have six padlocked schools reopened.

Jackson, Miss.

Hearing of the case by a three-judge panel came on the heels of a special referendum in which Norflok voters decided by a margin of three to two that they prefer closed schools to integrated schools.

Wed. 11-19-58

The parents' suit names as defendants Gov. J. Lindsay Almond, State Atty. Gen. Albertis S. Harrison and Norfolk school officials. It asks that the segregation laws be ruled unconstitutional and that state officials be enjoined from enforcing them.

P1

MAY ASK DELAY

A test case sponsored by the state is pending before the State Supreme Court and it was thought Harrison would ask a delay in the federal suit until the state court [illegible]. The parents have asked for an immediate decision, however.

The result of Tuesday's referendum in Norfolk was not binding on any official agency. But there were 12,658 votes against a proposal to return six closed schools to local control, and only 8,871 for it.

The Supreme Court was told in Washingotn Tuesday that the state of Virginia was trying to jail a man for supporting the 1954 decision outlawing segregation. The man was identified as David H. Scull, 43, a printer from Annandale, Va., whose attorneys said was sentenced to 10 days in jail and fined $50 for refusing to answer the questions of a legislative committee.

Scull's lawyer, Joseph L. Rauh Jr., said the committee held hearings in 1957 for "the clear purpose of resisting integration."

REUTHER BLAMED

Eugene Connor, police commissioner of Birmingham, Ala., charged Tuesday that Walter Reuther of the United Auto Workers acted as an intermediary in getting a civil rights investigation started in his city.

He said integration leader Martin Luther King persuaded Reuther to ask that Atty. Gen. William Rogers look into the arrest of three Montgomery Negroes accused of helping encourage a bus boycott in Birmingham.

Counsel for five men indicted in connection with a Jewish temple bombing in Atlanta asked a judge to restrain officers from removing the five from their jail cells and from "molesting, harassing and intimidating" them. A show-cause hearing is scheduled Monday.

14d(1) 1958

VIRGINIA

NOVEMBER
INTEGGRATION VOTE

Norfolk Votes to Keep Its Schools Segregated

News-Observer

Raleigh, N.C.

Wed. 11-19-58

P. 9

NORFOLK, Va. (AP)—Norfolk voters advised their City Council in a straw poll Tuesday they oppose the return of six closed white schools to the city for reopening on a racially integrated basis. The vote was almost 3-2.

Complete, unofficial returns from the city's 46 precincts gave 12,340 votes against the release of the schools from state control, and 8,712 votes for their release.

This balloting made it manifest that there has been no appreciable change in voter sentiment on the controversial issue of classroom race mixing since the Nov. 4 general election.

In that election the city gave U. S. Sen. Harry F. Byrd, chief apostle of massive resistance to school integration, a 3-2 victory vote over his independent opponent, Dr. Louise Wensel.

Closed.

Norfolk's three white high schools and three white junior high schools have been closed by state anti-integration laws since Sept. 29 when the City School Board enrolled 17 Negroes in compliance with a Federal court order.

Voters Tuesday marked "for" or "against" this question:

"Shall the Council of the City of Norfolk, pursuant to state law, petition the governor to return to the city control of schools, now closed, to be opened by the city on an integrated basis as required by the federal court?"

A footnote on the ballot reminded voters that if the closed schools should be reopened integrated, it would be necessary, because of a state law that would cut off state funds, to charge tuition.

At least five members of the seven-man City Council have indicated they will act on the basis of the majority vote in the referendum, even though it is purely advisory and not legally binding.

Virginia Law.

Under Virginia's school closure law, the mainstay of a package of "massive resistance to integration" statutes, the governor at his discretion may return closed schools to local control if the City Council and the school board adopt resolutions asking such action.

A direct assault on the school closure law will be made before a three-judge federal court here Wednesday. The court will hear a suit, brought by a group of white parents, challenging the constitutionality of the closure law and seeking reopening of the schools.

Enrollment at the six Norfolk schools is about 10,000. Three other Virginia white schools, two in Charlottesville and one in Front Royal—with an enrollment of 3,000—have also been shuttered under the closure law.

NORFOLK TO HOLD INTEGRATION VOTE

Public to Register Opinion Tuesday but Council Says It Will Not Be Bound

New York Times

Special to The New York Times.

Sun. 11-16-58

P. 46

NORFOLK, Va. Nov.15 — Norfolk voters will decide Tuesday whether they want to operate their secondary schools on an integrated basis. The city government has not promised to abide by the decision.

This week the City Council refused to state whether it would feel morally bound by the results of the informational referendum relating to the city's six closed schools. The referendum was called by the council to determine "the will of the people."

New York

N.Y.

More tha 40,000 voters are qualified to participate in the referendum. Observers expect a vote of between 23,000 and 30,0000. The question posed by the referendum is:

"Shall the Council of the City of Norfolk, pursuant to state law, petition the Governor to return to the city control of schools, now closed, to be opened by the city on an integrated basis as required by the Federal Court?" Voting blocks in the ballot are marked "for" and "against."

Campaigning Is Late

Little active campaigning had been noted until late this week. The segregationist "defenders of state sovereignity and individual liberties" organization opened then a leaflet campaign to stimulate an against vote.

The widely distributed leaflet urges citizens to vote against "abject surrender of your children to various pressure groups and professional race mixers." It also warns against the "wholesale destruction of your community" and cites the rapid growth of the Negro popuation in Washington Schools after they were integrated in 1954.

Countering this campaign, the Norfolk Committee for Public Schools has begun distributing leaflets. These warn that unless schools are opened soon, "our school system will be crippled for a generation." The committee is also emphasizing the danger of losing qualified teachers if the schools remain closed beyond January.

A Commitment Is Refused

Despite opposition to the referendum from various groups, including the Norfolk School Board, the council has persisted in its plan to call the vote. At this week's session of the council private citizens asked for a commitment by the council on the results. The council declined to indicate what action it would take.

"We are not going to presuppose anything about the referendum, and hand it in the papers, until after the election," Mayor W. Fred Duckworth told a Navy officer's wife in response to her question on the council's intentions.

The ballots for the referendum also carry the brief information paragraph, which emphasizes the need for parents to "pay to the city a substantial tuition" for each child if the schools are returned to city control on an integrated basis. Existing state laws require a cutoff of state funds to any public school operated as integrated school.

These massive resistance laws are being attacked in a series of Federal and state court action.

Mixing Is Opposed In Norfolk Voting

By HARRY NASH

News-Courier

Charleston, S.C.

Wed. 11-19-58

P. 1

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This balloting made it manifest that there has been no appreciable change in voter sentiment on the controversial issue of classroom race mixing since the Nov. 4 general election.

In that election the city gave U. S. Sen. Harry F. Byrd, chief apostle of massive resistance to school integration, a 3-2 victory vote over his independent opponent. Dr. Louise Wensel.

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Enrollment at the six Norfolk schools is about 10,000. Three other Virginia white schools, two in Charlottesville and one in Front Royal—with an enrollment of 3,000—have also been shuttered under the closure law.

Norfolk Votes 3-2 To Keep Schools Shut

Referendum Called Informational Only

Courier-Journal

By The United Press

Louisville, Ky.

Wed. 11-19-58

P. 7

Norfolk, Va., Nov. 18.—The city of Norfolk, where 10,000 children have lost their schools to avoid integration, voted 3-to-2 Tuesday to keep six schools closed rather than open them on an integrated basis.

Voters in this sprawling port city cast 12,658 ballots against petitioning Governor J. Lindsay Almond, Jr., to return six schools to local control so they could be reopened and integrated, and 8,781 for the proposal.

One factor believed to have influenced the vote was another Virginia "massive-resistance" law which would apply if the schools were integrated and would cut off all State funds.

Results Not Binding

Each ballot contained a footnote reminding voters of the fund-cutoff law and saying a "substantial tuition for each child" would be charged if the schools opened.

The referendum, called by Norfolk's City Council, was for informational purposes only; its results are not binding on the City or the State. However, five of the seven Council members indicated beforehand that they would follow the voters' wishes.

Sunny, almost-springlike weather brought only 21,439 voters to the polls, about 1,000 fewer than voted in the general election November 4, when Norfolk gave Senator Harry F. Byrd (D., Va.), architect of the laws that shut down the schools, a nearly two-thirds majority. Norfolk has a population of about 300,000.

The referendum was the first expression of mass sentiment on the question of reopening and integrating schools closed under Virginia laws, which automatically shut down school that are ordered to integrate.

The feeling expressed in the voting will probably give a considerable boost to State policy, which now is to give the Governor complete control of schools which close under desegregation orders.

Journal

However, the "massive-resistance" laws face another test here Wednesday when a special three-judge Federal court hears a suit challenging th constitutionality of the statutes and asking that the schools be forced to open.

The question before the voters was:

Wed. 11-19-58

"Shall the Council of the City of Norfolk, pursuant to State law, petition the Governor to return to the City control of schools, now closed, to be opened by the City on an integrated basis as required by the Federal court?"

Six Schools Closed

All Norfolk's white high and junior high schools, with total enrollment of about 10,000, were closed and put under the Governor's direct control September 27 after the City School Board, under Federal court compulsion, admitted 17 Negroes to them.

One reason for the light vote was believed to be that many voters felt the election useless, since it was not binding.

Campaigning both for and against integration was heavy before and during the voting.

At Granby High, where 2,000 children were locked out of class to prevent the integration of one Negro child, a mother of three handed out circulars at the poll calling for votes against petitioning the Governor.

Woman Gives Handbills

The woman, one of whose children was locked out of Granby classes, said:

"I don't approve of integrating schools. The Negroes in Norfolk have good schools and I don't think they were intended to be mixed. I won't give in one inch."

Near her a blond grandmother who said she moved here from the North 10 years ago handed out circulars urging voters to cast their ballots for petitioning the Governor. "Norfolk schools must be opened soon or our school system will be crippled for a generation," the handbill said.

U. S. Court Power Hit By Virginia

Says Judges Can't Force State to Run Schools in Norfolk

BULLETIN

Post

Early returns in yesterday's straw poll showed Norfolk voters were rejecting a move to reopen the city's six closed high schools on a desegregated basis. With 38 of 46 precincts reporting, the vote was 5790 for reopening the schools and 9645 against reopening the schools.

NORFOLK, Va., Nov. 18 (AP) — Virginia's attorney general argued today it is beyond the powers of a Federal court to force the reopening of six white public schools closed under the state's massive resistance laws.

Washington D.C.

Wed. 11-19-58

Albertis S. Harrison, in a motion calling for dismissal of a suit to reopen the schools, said the three-judge U. S. District Court "has no . . . power by injunctive process essentially mandatory in nature . . . to require the governor of the school board of the City of Norfolk to reopen the schools."

P. 1

The court has scheduled a hearing in the cast Wednesday. The suit is one of three brought in Federal Court here with similar intentions.

Harrison maintained this first suit to be tried is actually a suit against the state and therefore prohibited by the 11th Amendment to the Federal Constitution. He said even if the court holds that Virginia's school closing law is unconstitutional he denied that it can issue an injunction directing that the six schools be opened.

Norfolk white parents and school children bringing the suit contend the school closings deprive displaced children of their rights under the 14th Amendment. The suit asks the court to prevent enforcement of Virginia's anti-integration laws, and order that control over the closed schools be returned to the school board.

Harrison is named defendant, along with Gov. J. Lindsay Almond, the school board of Norfolk and the school superintendent. In other motions, the Attorney General says he and the school board should be dismissed as defendants.

Under Virginia law, if a school is desegregated it is automatically closed and control of the facility passes from the school board to the Governor.

The Norfolk School Board, under pressure of a Federal court desegregation order, assigned 17 Negroes to the six schools now closed.

Also filed in the Federal Court today was a copy of the brief Harrison filed in a suit he brought in the State Supreme Court to test the massive resistance laws.

Post

The state case is set for hearing Nov. 24. Harrison's brief contends that when the United States Supreme Court outlawed racial segregation of public schools, it knocked out, in effect, the provision of Virginia's Constitution calling for an "efficient" system of free public schools.

Wed. 11-19-58

The brief noted that the Legislature has defined "efficient" as segregated.

This contention was disputed in another brief filed in Richmond today by Samuel H. Wiliams, the court-appointed lawyer who will argue againt the massive resistance laws in the State Supreme Court.

Williams' brief contended the 1955 Supreme Court school desegregation ruling left intact the Virginia constitutional requirement that the General Assembly operate a system of free public schools.

Williams said: "It seems inescapable that the Brown (segregation) case has effectively neutralized and revoked" Section 140 of the Virginia Constitution, requiring segregation of the races in the public schools.

"It seems equally clear that the direct command of Section 129 to maintain the publice school system was not repealed by that decision, but modified."

Williams said as altered, Section 129 would require the Legislature to maintain public schools from which no person otherwise qualified may be barred because of race.

Consequently, his brief said, whether a locality "will be called on to accept this type of public education and how much it will accept may eventually become matters for legislative decision."

Norfolk Firm on Schools

Voters Veto Reopening on Integrated Basis in Straw Poll

Times-Union

NORFOLK, Va., Nov. 18 (AP)—Norfolk voters advised their city council in a straw poll today they oppose the return of six closed white schools to the city for reopening on a racially integrated basis. The vote was almost three to two.

Jacksonville Fla.

Complete, unofficial returns from the city's 46 precincts gave 12,340 votes against the release of the schools from state control, and 8,712 votes for their release.

This balloting made it manifest that there has been no appreciable change in voter sentiment on the controversial issue of classroom race mixing since the Nov. 4 general election.

Wed. 11-19-58

Byrd 3-2 Choice

In that election the city gave U.S. Sen. Harry F. Byrd, chief apostle of massive resistance to school integration, a three to two victory vote over his independent opponent, Dr. Louise Wensel.

Norfolk's three white high schools and three white junior high schools with enrollment of about 10,000 have been closed by state anti-integration laws since Sept. 29 when the city school board enrolled 17 Negroes in compliance with a federal court order.

P. 1

Voters today marked "for" or "against" this question: **"Shall the council of the city of Norfolk, pursuant to state law, petition the governor to return to the city control of schools, now closed, to be opened by the city on an integrated basis as required by the federal court?"**

Footnote on Ballot

A footnote on the ballot reminded voters that if the closed schools should be reopened integrated, it would be necessary, because of a state law that would cut off state funds, to charge tuition.

At least five members of the seven-man city council have indicated they will act on the basis of the majority vote in the referendum, even though it is purely advisory and not legally binding.

A direct assault on the school closure law will be made before a three-judge federal court here tomorrow. The court will hear a suit, brought by a group of white parents, challenging the constitutionality of the closure law and seeking reopening of the six schools.

School Integration Up For Vote

Talladega Home

NORFOLK, Va. (AP)— Norfolk voters decide today whether they want six closed white secondary schools returned to the city for integrated operation.

Talladega, Ala.

A vote of between 22,000 and 25,000 was forecast, with some experienced political observers predicting a 3-2 margin against petitioning Gov. J. Lindsay Almond Jr. to return the schools. Registration lists show 40,758 whites and 8,540 Negroes eligible to vote.

Tue. 11-18-58

The informational referendum is not binding on City Council or on Almond. At least five of the seven council members have indicated they will act on the basis of a majority vote.

P. 1

The three junior high and three senior high schools were closed Sept. 29 under Virginia's antiintegration laws when the city school board bowed to a Federal Court desegregation order and enrolled 17 Negroes.

Tomorrow, a three-judge Federal Court opens a hearing on the constitutionality of the school-closing law. The suit, which named Almond among the defendants, was brought by white parents.

Neither side in the school question would chance a prediction on the outcome.

NOVEMBER

14d(1) 1958 VIRGINIA LIMITED SCHOOL INTEGREGATION INDICATED

Limited School Integration Is Indicated for Virginia

By JOHN D. MORRIS

Special to The New York Times.

New York

Times

RICHMOND, Va., Nov. 15—The state administration has begun to prepare the ground for a probable retreat in the fight against racial integration of public schools.

New York, N.Y.

Officially, Gov. J. Lindsay Almond Jr., and his associates are still relying on a two-year-old creed of "massive resistance" to preserve separate facilities for white and Negro pupils throughout the state.

Sun. 11-16-58

Nevertheless, a shift to at least token compliance with the Supreme Court's anti-segregation decrees seems to be shaping up.

P.1

[In Georgia, Gov. Marvin Griffin asserted that the state would not permit any integration in Atlanta's schools, United Press International reported.]

Governor Almond of Virginia and Albertis S. Harrison Jr., his Attorney General, have continued to sound the massive resistance theme in public statements since the shutdown in September of schools in Warren County, Charlottesville and Norfolk to avoid desegregation. However, they are understood to have been privately moving toward the conclusion that Virginia would ultimately have to accept some integration in some schools if public education were to be maintained. In one court appearance, Mr. Harrison said as much publicly.

Times

Strong evidence that this point of view has been, or soon will be, adopted as the Administration's official policy develope dthis week as Richmond's two newspapers suddenly abandoned their support of massive resistance.

Sun. 11-16-58

The News Leader and The Times-Dispatch urged a new approach in editorials that followed consultations of their editors with Governor Almond and other state officials.

Until then The News Leader, edited by James Jackson Kilpatrick, had been one of the most influential and outspoken advocates of total defiance of the Supreme Court's integration edicts. The Times-Dispatch, edited by Virginius Dabney, had been a less militant opponent of integration. Both papers are published by Richmond Newspapers, Inc., headed by D. Tennant Bryan.

Almost simultaneously, The Norfolk Ledger-Dispatch similarly shifted its editorial policy on the issue. Both of Roanoke's papers have also done so. The Norfolk Virginian-Pilot has opposed massive resistance from the start.

With the recent shifts, all of the state's major newspapers are now advocating a more moderate approach.

Byrd Support Lacking

It is understood that the Richmond papers, at least, are doing so with the state Administration's encouragement. The aim is to prepare the segregationist segment of Virginia public opinion for revision of state laws to permit some integration.

The project is being executed without the support of Senator Harry F. Byrd, titular head of the Democratic organization in control of the state administration. A struggle between Senator Byrd and Governor Almond for domination of the organization may consequently be in the making.

The only concrete proposal so far advanced by Administration supporters as an alternative to the present laws was sketched in a News Leader editorial this week.

It would permit the operation of integrated schools in any community where a majority of the voters approved of it in a referendum.

Tuition grants would be available from the state for the private schooling of white and Negro children in communities choosing to abandon public schools, rather than desegregate them. The grants would also be available for children of objecting parents in communities that desegrefated their schools.

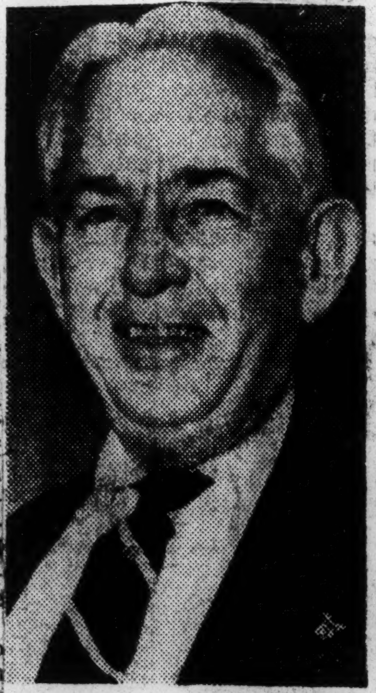
Legislature Call Weighed

In his only public response to the rash of editorial advice, Governor Almond announced that he would convene a special session of the Legislature to enact substitute legislation if the existing school-closing laws were invalidated by the courts.

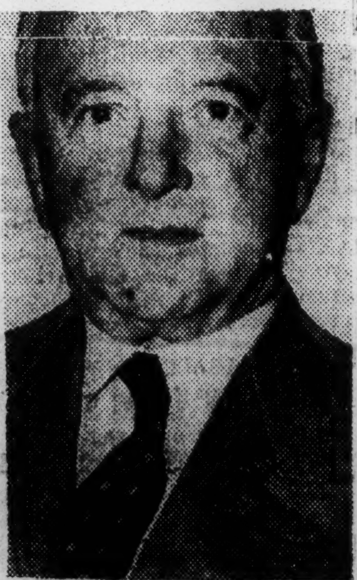
Tests of the laws are scheduled for next week before a three-judge Federal court in Norfolk and in the following week before the Virginia Supreme Court of Appeals.

It is generally expected that the outcome, which will probably come next month, will be decisions by one or both of the courts that the laws are unconstitutional.

Governor Almond said that he would appoint a commission of legislators "for the purpose of counsel and advice, and to receive the suggestions which I shall make to them at that time."



Gov. J. Lindsay Almond Jr.



Assoc. Press

Senator Harry F. Byrd

School Law Seen Futile In Virginia

Atlanta

Constitution

RICHMOND, Va. (AP) — The state Democratic administration appeared headed Thursday for an early—but reluctant—retreat from the line of massive resistance in its fight against public school integration.

Atlanta, Ga.

Some of the foremost defenders of the legal stand which has prevented any race mixing in the classrooms but displaced nearly 13,000 white pupils from nine closed schools are now saying the present laws are useless.

HAS NO HOPE

Fri. 11-14-58

Gov. J. Lindsay Almond Jr. has indicated he is ready to call the General Assembly to go at the school problem by a less burdensome route if the courts strike down the closure laws in tests this month. He indicated, too, he hasn't any hope the present laws will survive a test before a three-judge federal court at Norfolk next week. A friendly test of the laws comes up in the State Supreme Court the following week.

P.12

Almond, a defendant in cases before the federal court, gave this brief statement of his position: "I fully realize that as governor, I am in the jaws of a vise, but I'm going to stay with the statutes of Virginia as long as they are vital."

HIS OWN IDEAS

The governor's remark was coupled with his announcement that he would set up a commission of legislators to advise him—if the laws are stricken—and give them certain ideas of his own on the subject.

The Richmond News Leader and the Richmond Times-Dispatch, both strong backers of the massive resistance program, pointed up a growing change of view Wednesday. The Times-Dispatch called for prompt reappraisals by a legislative commission and said to continue the fight that had closed nine schools under resent laws was suicidal. The News Leader, whose editor, James J. Kilpatrick, had sought unsuccessfully to get the administration to pit the sovereignty of the state against federal authority, argued for continuance of the fight—but on new battlegrounds. He suggested a tuition grant plan, divorced from the race controversy, and a provision for local option.